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TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[Quarantine 72]

PART 301—DOMESTIC QUARANTINE NOTICES

WHITE-FRINGED BEETLE QUARANTINE

Introductory note. This revision of the quarantine and regulations is made primarily for the purpose of placing the State of Georgia under quarantine on account of the white-fringed beetle and placing under regulation parts of 23 counties in Georgia. Minor additions to the regulated area in several counties of Alabama and Mississippi are made. No changes in the regulated areas of Florida, Louisiana, or North Carolina and no changes in regulated articles are made by this revision.

A public hearing was held September 12, 1946, to consider the advisability of extending the Federal quarantine on account of the white-fringed beetle to include both the State of Georgia and the State of South Carolina. Facts developed and submitted at the hearing demonstrated that white-fringed beetles were well established in many localities within the State of Georgia. Only one infestation is known to occur in a restricted area in the State of South Carolina. This involves a small plot in which nursery stock from an infested nursery in Georgia was planted. All of this nursery stock has been treated under the supervision of Federal and State inspectors in such manner as to render it entirely free of white-fringed beetles and the infested plot, which will be thoroughly treated with insecticides, is being maintained under the surveillance of inspectors to preclude the movement of any soil or other products which might spread the beetle. This area has been thoroughly inspected; however, further inspection is necessary to determine if infestations occur on adjacent or nearby lands. Furthermore, articles from areas in another State where infestation is well established have been transported into several other localities in South Carolina and there is a probability that infestations may be disclosed when seasonal conditions will permit further inspections.

On the basis of facts developed and evidence submitted at the hearing, the State of Georgia is being placed under quarantine at this time while quarantine action with respect to the State of South Carolina is being held in abeyance pending further investigations.

The Secretary of Agriculture has determined that it is necessary further to revise the white-fringed beetle quarantine and regulations supplemental thereto which were last revised effective December 12, 1945, 7 CFR 1945 Supp. 301.72 B. E. P. Q.—Q. 72, in order to place the State of Georgia under quarantine and to make other modifications. The quarantine and regulations are therefore hereby revised to read as follows:

- Sec.
- 301.72 Notice of quarantine.
 - 301.72-1 Definitions.
 - 301.72-2 Regulated areas.
 - 301.72-3 Regulated articles.
 - 301.72-4 Conditions of interstate movement.
 - 301.72-5 Conditions under which certificates and permits may be issued.
 - 301.72-6 Procedure for obtaining certificates or permits; applications.
 - 301.72-7 Cancellation of certificates or permits.
 - 301.72-8 Cleaning of vehicles.
 - 301.72-9 Shipments for experimental or scientific purposes.

AUTHORITY: §§ 301.72 to 301.72-9, inclusive, issued under sec. 8, 37 Stat. 318 as amended by 39 Stat. 1165 and 44 Stat. 250, secs. 1, 3, 33 Stat. 1269, 1270; 7 U. S. C. 141, 143, 161.

§ 301.72 *Notice of quarantine.* Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended, and having held the public hearings required thereunder, the Secretary of Agriculture quarantines the States of Alabama, Florida, Georgia, Louisiana, Mississippi, and North Carolina, to prevent the spread of dangerous infestations of introduced species of the genus *Pantomorus*, subgenus *Graphognathus*, commonly known as white-fringed beetles, and under authority contained in the aforesaid Plant Quarantine Act and the Insect Pest Act of March 3, 1905, the Secretary of Agriculture hereinafter prescribes regulations governing the movement of white-fringed beetles and carriers thereof. *Provided*, That the restrictions of this quarantine and of the regulations supplemental hereto with respect

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¹ See Misc. 2080874 and 2085868 under Bureau of Land Management.

² See Misc. 2112256 under Bureau of Land Management.

³ See Misc. 2112863 under Bureau of Land Management.

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to the movement of carriers of the white-fringed beetles may be limited to such areas, within the quarantined States, as are hereinafter or may hereafter be designated by the Secretary of Agriculture as regulated areas, adequate, in his judgment, to prevent the spread of the white-fringed beetles, but any such limitations shall be conditioned upon the control by the affected State or States, of the intrastate movement of said insect pests and carriers thereof under the same conditions as apply to their movement from the quarantined States under the then applicable Federal quarantine regulations and upon the enforcement by the affected State or States of such control and sanitation measures with respect to said areas or portions thereof as, in the judgment of the Secretary of Agriculture, are adequate to prevent the intrastate spread therefrom of the said insect infestation.

Hereafter, the following articles shall not be transported by any person, firm, or corporation from any quarantined State into or through any other State or Territory or District of the United States, under conditions other than those prescribed herein or in regulations supplemental hereto or in amendments or modifications thereof: (a) Live white-fringed beetles in any stage of development; (b) soil independently or in connection with nursery stock, plants, or other things; (c) nursery stock and other

stipulated plants or plant products; and (d) other articles, as stipulated in § 301.72-3: *Provided*, That whenever, in any year, the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved in the movement of one or more of said articles, except live white-fringed beetles in any stage of development, making it safe to modify, by making less stringent, the restrictions contained in the supplemental regulations applicable thereto, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulations should be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

Live white-fringed beetles in any stage of development shall not be transported by any person, firm, or corporation from one State or Territory of the United States or the District of Columbia into another of such places except for scientific purposes under the regulations supplemental hereto, or amendments or modifications thereof.

§ 301.72-1 *Definitions*. For purposes of the regulations supplemental to the white-fringed beetle quarantine the following terms shall have the meanings hereby assigned:

(a) *The pests*. Species of the genus *Pantomorus*, subgenus *Graphognathus*, commonly known as white-fringed beetles, in any stage of development.

(b) *Interstate*. From any State, Territory, or District of the United States into or through any other State, Territory, or District of the United States.

(c) *Infested or infestation*. Infested by white-fringed beetles, in any stage of development. (See paragraph (a) of this section.)

(d) *Regulated area*. Any area in a quarantined State designated as regulated in the regulations supplemental to this quarantine or amendments thereof, from which the interstate movement of regulated articles is hereby regulated.

(e) *Infested area*. That portion of the regulated area in which infestation exists, or in the vicinity of which infestation is known to exist under such conditions as to expose the area to infestation by natural spread of beetles, as determined by an authorized inspector.

(f) *Regulated articles*. Products or articles of any character whatsoever, the interstate movement of which from the regulated areas is regulated by this quarantine and the regulations supplemental thereto.

(g) *Nursery stock*. Forest, field, and greenhouse-grown annual or perennial plants, for planting purposes.

(h) *Inspector*. Duly authorized Federal plant-quarantine inspector.

(i) *Certificate*. An approved document issued by an inspector for use on individual containers of regulated articles, authorizing their movement from the regulated areas.

(j) *Master permit*. An approved document issued by an inspector for use with bulk shipments of regulated articles by rail or road vehicle, authorizing their movement from the regulated areas.

(k) *Limited permit*. An approved document issued by an inspector, to allow controlled movement of noncertified articles to designated and authorized destinations for processing or other regulated handling.

(l) *Administrative instructions*. Documents relating to the enforcement of this quarantine issued under the authority of the provisions thereof by the Chief of the Bureau of Entomology and Plant Quarantine.

§ 301.72-2 *Regulated areas*. The following counties, parishes, cities, and towns or parts thereof as described, are designated by the Secretary of Agriculture as regulated areas:

ALABAMA

Baldwin County. Secs. 31, T. 7 S., R. 4 E.; secs. 35 and 36, T. 7 S., R. 3 E.; secs. 1, 2, 11, and 12, T. 8 S., R. 3 E.; and secs. 6 and 7, T. 8 S., R. 4 E.

Coffee County. All that part of T. 3 N., R. 20 E., lying in Coffee County.

Conecuh County. W $\frac{1}{2}$ T. 5 N., R. 9 E.; and those parts of Tps. 4 and 5 N., R. 7 E., Tps. 5 and 6 N., R. 8 E., W $\frac{1}{2}$ T. 6 N., R. 9 E., and Tps. 7 and 8 N., R. 9 E., lying in Conecuh County.

Corning County. Secs. 30 and 31, T. 2 N., R. 18 E.; S $\frac{1}{2}$ T. 2 N., R. 17 E.; E $\frac{1}{2}$ T. 1 N., R. 15 E.; Tps. 1 N., Rs. 16, 17 and 18 E., and all area south thereof to the Alabama-Florida State line; SW $\frac{1}{4}$ and secs. 22, 27, and 34 T. 4 N., R. 18 E., including all the town of Opp; and NE $\frac{1}{4}$ T. 3 N., R. 18 E.

Crenshaw County. Secs. 27, 23, 23, 30, 31, 32, 33, and 34, T. 9 N., R. 18 E.; and secs. 3, 4, 5, and 6, T. 8 N., R. 18 E.

Dallas County. That area included within a boundary beginning on the Southern Ry. where it crosses Bougechitto Creek; thence SW. along the Southern Ry. to Caine Creek; thence SE. along Caine Creek to its intersection with Bougechitto Creek; thence northward along Bougechitto Creek to the starting point; all of Tps. 13 and 14 N., R. 11 E.; and secs. 1, 12, 13, 24, 25, and 36, T. 14 N., R. 10 E.

Eccambia County. Secs. 1, 2, 11, 12, 13, 14, 32, 33, and 34, T. 1 N., R. 8 E., including all the town of Flomaton; and the N $\frac{1}{2}$ Tps. 3 N., Rs. 6 and 7 E.

Genesa County. Secs. 31, 32, and 33, T. 1 N., R. 19 E., and all area south thereof to the Alabama-Florida State line, including all of secs. 21 and 23, T. 6 N., R. 19 W., and all that part of T. 3 N., R. 20 E., lying in Genesa County.

Lowndes County. W $\frac{2}{3}$ T. 14 N., R. 12 E.

Mobile County. That area included within a boundary beginning at the intersection of the Mobile River and the northern boundary of the S $\frac{1}{2}$ T. 3 S., R. 1 W., thence west along said northern boundary to Eight Mile Creek; thence southwesterly along Eight Mile Creek to the point of intersection with the range line between Rs. 1 and 2 W., thence south along said range line to the Mobile City limits at Bolton's Creek; thence following the Mobile city limits easterly to Mobile Bay; thence north along Mobile Bay and Mobile River to the starting point; and all of Blakeley, Pinto, and Ship Islands; also that part of T. 5 S., R. 2 W., lying south of Halls Mill Creek; all of T. 6 S., R. 2 W., except secs. 25, 26, 27, 34, 35, and 36; those parts of Tps. 6 S., Rs. 3 and 4 W., lying south of the old Pascagoula Road; N $\frac{1}{3}$ T. 7 S., R. 4 W., and secs. 4, 5, 6, 7, 8, and 9 T. 7 S., R. 3 W.

Monroe County. S1/2 T. 5 N., R. 6 E.; NE1/4 T. 5 N., E1/2 Tps. 6, 7, 8, and 9 N., and SE1/4 T. 10 N., R. 7 E.; Tps. 7, 8, and 9 N., and S1/2 T. 10 N., R. 8 E.; all of T. 9 N., and S1/2 T. 10 N., R. 9 E., those parts of Tps. 3 and 4 N., R. 6 E., T. 4 N., and S1/2 T. 5 N., R. 7 E., Tps. 5 and 6 N., R. 8 E., and Tps. 6, 7, and 8 N., R. 9 E., lying in Monroe County.

Montgomery County. That area included within a boundary beginning at a point where a line projecting Lee Street in the city of Montgomery intersects the Alabama River; thence following such line southeast to the Western Ry. of Alabama; thence southwest along the Western Ry. of Alabama to the Montgomery city limits; thence following a straight line due north to the Alabama River; thence southeast along the Alabama River to the point of beginning.

Wilcox County. N1/2 T. 10 N., and all of T. 11 N., R. 9 E., N1/2 T. 10 N., R. 8 E.; NE1/4 T. 10 N., R. 7 E., and NE1/4 T. 10 N., R. 10 E.

FLORIDA

Escambia County. All that part lying south of the northern boundary of T. 1 N., including all of the city of Pensacola, and that part of the county north of the southern boundary of T. 5 N., and east of the western boundary of R. 31 W.

Okaloosa County. T. 5 N., R. 22 W., and secs. 1, 2, and 3, T. 5 N., R. 23 W., and all lands north of both areas to the Florida-Alabama State line; secs. 7, 8, 9, 16, 17, 18, 19, 20, and 21, T. 3 N., R. 23 W., including all of the town of Crestview; and secs. 13, 14, 23, and 24, T. 3 N., R. 24 W.

Walton County. Tps. 5 N., Rs. 20 and 21 W., and secs. 31, 32, and 33, T. 6 N., R. 19 W., and all lands north of both areas to the Florida-Alabama State line; Tps. 4 N., Rs. 19 and 20 W., and that portion of T. 3 N., R. 20 W., lying north of U. S. Highway 90.

GEORGIA

Baldwin County. That area included within the corporate limits of the town of Mill-
edgeville.

Ben Hill County. That area bounded on the east by a line parallel to and 1/2 mile east of the Fitzgerald city limits, on the south by a line parallel to and 1/2 mile south of the Fitzgerald city limits, on the west by a line parallel to and 1/2 mile west of the Fitzgerald city limits, on the north by a line parallel to and 1/2 mile north of the Fitzgerald city limits, and the projections of such lines to their intersections, including all of the city of Fitzgerald.

Bibb County. That area included within the Georgia Militia Districts of East Macon, Godfrey, Vineville, Hazzard, and Howard, and that portion of the Georgia Militia District of Rutland lying east of U. S. Highway No. 41, including all of the city of Macon, and all of Cochran Field Army Air Base.

Bleckley County. That area included within the corporate limits of the city of Cochran; and that portion of the Georgia Militia District of Manning included within a circle having a 2 1/2 mile radius and center at the intersection of the Bleckley, Laurens, Twiggs, and Wilkinson County lines.

Bulloch County. That area included within a circle having a 2 mile radius and center at the Court House in Statesboro, including all of the town of Statesboro.

Burke County. That area, comprising parts of Georgia Militia Districts No. 60 and No. 62, bounded on the east by Fitz Branch, on the south by a line beginning at the intersection of Georgia State Highway 56 and the Hephzibah Road and extending due east to its intersection with Fitz Branch, on the west by Hephzibah Road, on the north by Brier Creek, including all of the city of Waynesboro.

Crisp County. That area included within the corporate limits of the city of Cordele.

Dodge County. That area included within land lots numbers 6, 7, 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 24, 25, 36, 37, 38, 39, 40, 41, and 42 in the Fifteenth Land District, and lots numbers 278, 279, 280, 281, 282, 289, 290, 291, 292, 293, 294, 295, 306, 307, 308, 309, 310, 311, and 312 in the Sixteenth Land District, including all of the city of Eastman.

Emanuel County. That area included within a circle having a one and 1/2 mile radius and center at the Union Grove Methodist Church in Georgia Militia District No. 49.

Houston County. That area included within the Lower Fifth Georgia Militia District, including all of the town of Warner Robins, and all of Warner Robins Field Army Air Base.

Irwin County. That area included within a circle having a 1/2 mile radius and center at the intersection in Irwinville of Georgia Highway 32 and the Jefferson Davis Memorial State Park Road.

Laurens County. That area bounded on the east by Oconee River, on the south by Long Branch, on the west by a line beginning at the point where Georgia Highway No. 19 crosses Sandy Ford Branch west of Dublin and extended due north and due south to the points of its intersection with the north and south boundaries, and on the north by Hunger and Hardship Creek, including all of the city of Dublin; and that portion of the Georgia Militia District of Harvard included within a circle having a 2 1/2 mile radius and center at the intersection of the Blackley, Laurens, Twiggs, and Wilkinson County Lines, including all of that portion of Allentown lying in Laurens County.

Macon County. That area included within the Georgia Militia District of Marshallville, including all of the town of Marshallville.

Monroe County. That area included within the corporate limits of the town of Forsyth.

Montgomery County. That area bounded on the east by the Toombs-Montgomery County line, on the south by Rocky Creek, on the west by Georgia Highway No. 20, and on the north by Swift Creek.

Peach County. That area included within the Georgia Militia District of Fort Valley, including all of the town of Fort Valley.

Screven County. That area included within a circle having a 1 1/4 mile radius and center at the County Court House in Sylvania, including all of the town of Sylvania.

Toombs County. That area bounded on the east by the east boundaries of Georgia Militia Districts of Vidalia and Center, on the south by Rocky Creek, on the west by the Toombs-Montgomery County line and on the north by Swift Creek, including all of the city of Vidalia.

Treutlen County. That area included within the corporate limits of the town of Soperton.

Twiggs County. That portion of the Georgia Militia District of Higgsville included within a circle having a 2 1/2 mile radius and center at the intersection of the Bleckley, Laurens, Twiggs, and Wilkinson County lines, including all of those portions of Allentown and Danville lying in Twiggs County.

Washington County. That area included within a circle having a three-mile radius and center at the Sandersville High School, including all of the town of Sandersville.

Wheeler County. That area included within land lots numbers 40, 41, 42, 43, 48, 49, 50, 51, 70, 71, 72, 73, 78, 79, 80, 81, 100, 101, 102, and 103, in the Eleventh Land District, including all of the town of Alamo.

Wilkinson County. That portion of the Georgia Militia District of Turkey Creek included within a circle having a 2 1/2 mile radius and center at the intersection of the Bleckley, Laurens, Twiggs, and Wilkinson County lines, including all of those portions of Allentown and Danville lying in Wilkinson County.

LOUISIANA

All of Orleans Parish, including the city of New Orleans, and all of St. Bernard Parish.

Iberia Parish. Secs. 24, 37, 38, 39, 53, 55, and 56, T. 13 S., R. 5 E., and secs. 46, 55, 56, 57, 58, 59, and 60 T. 13 S., R. 6 E.

Jefferson Parish. That part lying north of the township line between Tps. 14 and 15 S.

Plaquemines Parish. That part lying north of the township line between Tps. 15 and 16 S.

Saint Tammany Parish. Secs. 38, 39, and 40 T. 7 S., R. 11 E., and secs. 40 and 41, T. 8 S., R. 11 E.

Tangipahoa Parish. Secs. 32, 33, and 50 T. 3 S., R. 7 E.; secs. 4, 5, 8, 9, 10, 50, and 54, T. 4 S., R. 7 E., including all of the town of Amite.

MISSISSIPPI

Covington County. W1/2 T. 8 N., R. 14 W., and all of T. 8 N., R. 15 W., S3/4 Tps. 8 N., Rs. 16 and 17 W., N1/2 T. 7 N., R. 16 W., and that part of N1/2 T. 7 N., R. 17 W., lying in Covington County; T. 7 N., R. 15 W., E1/2 T. 6 N., 15 W., W1/2 T. 6 N., R. 14 W., secs. 28, 29, 30, 31, 32, and 33, T. 7 N., R. 14 W., also those parts of NW1/4 T. 9 N., R. 16 W. and NE1/4 T. 9 N., R. 17 W., lying in Covington County.

Forest County. T. 5 N., R. 14 W., S1/3 T. 5 N., R. 13 W., and that part of N1/2 T. 5 N., R. 13 W., lying west of Leaf River; Tps. 3 and 4 N., R. 13 W., and those parts of Tps. 3 and 4 N., R. 12 W., lying west and south of Leaf River; Tps. 1 and 2 N., R. 12 W., T. 1 S., R. 12 W., and E1/2 T. 1 S., R. 13 W.

Hancock County. Secs. 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, T. 5 S., R. 14 W., and Tps. 8 and 9 S., R. 14 W., including all the town of Bay Saint Louis.

Harrison County. That area included within a boundary beginning at the NE corner sec. 30, T. 4 S., R. 10 W., thence west along the county line to the NW corner sec. 30, T. 4 S., R. 12 W., thence south to the NE corner sec. 1, T. 5 S., R. 13 W., thence west to the NW corner sec. 2, T. 5 S., R. 13 W., thence south to the NE corner sec. 27, T. 7 S., R. 13 W., thence west to the county line or the NW corner sec. 30, T. 7 S., R. 13 W., thence south to the Mississippi Sound; thence eastward along the Mississippi Sound to a point of intersection with the Bay of Biloxi; thence westward along the Bay of Biloxi to the SE corner sec. 16, T. 7 S., R. 9 W., thence north along the county line to the NE corner sec. 33, T. 6 S., R. 9 W., thence west to the NW corner sec. 32, T. 6 S., R. 10 W., and thence north to the point of beginning.

Hinds County. E1/2 T. 6 N., R. 3 W., and W1/2 T. 6 N., R. 2 W.

Jackson County. That area included within a boundary beginning at a point where the east line of sec. 19, T. 7 S., R. 5 W., intersects Escatawpa River; thence west along said river to the Pascagoula River; thence south along the Pascagoula River to the township line between Tps. 7 and 8 S., thence east to the SE corner sec. 31, T. 7 S., R. 5 W., thence north to the starting point; all that portion of T. 7 S., R. 9 W., lying in Jackson County; and W3/4 Tps. 7 and 8 S., R. 8 W.

Jefferson Davis County. Secs. 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, T. 8 N., R. 19 W., NE1/4 T. 7 N., R. 19 W., secs. 6, 7, and 18, T. 7 N., R. 18 W., including all the town of Prentiss; S3/4 T. 8 N., R. 18 W., and that part of N1/2 T. 7 N., R. 17 W., lying in Jefferson Davis County.

Jones County. That part of T. 10 N., R. 11 W., lying in Jones County, except secs. 24, 25, and 36; those parts of Tps. 10 N., Rs. 12 and 13 W., lying in Jones County; all of Tps. 9 N., Rs. 12 and 13 W., all of T. 9 N., R. 11 W., except secs. 1 and 12; E3/4 and secs. 29, 30, 31, and 32, T. 8 N., R. 12 W., N1/2 T. 8 N., R. 11 W., and N1/2 T. 7 N., R. 12 W., also secs. 29, 30, 31, and 32, and those parts of secs. 28 and 33 lying west of Leaf River, all in T. 6 N., R. 13 W.,

and secs. 25, 26, 27, 34, 35, and 36, T. 6 N., R. 14 W.

Lamar County. That part of T. 1 N., R. 14 W., lying in Lamar County; all of Tps. 2, 3, and 4 N., R. 14 W., E $\frac{1}{2}$ T. 1 N., R. 15 W., secs. 1 and 2, T. 1 S., R. 15 W., secs. 6, T. 1 S., R. 14 W., including all the towns of Lumberton and Purvis.

Pearl River County. W $\frac{1}{2}$ T. 2 S., R. 15 W., secs. 3, 4, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, T. 1 S., R. 15 W., secs. 1, 12, 13, 24, 25, and 36, T. 2 S., R. 16 W., all of T. 5 S., R. 16 W., and E $\frac{1}{2}$ T. 5 S., R. 17 W.

Rankin County. E $\frac{1}{2}$ T. 3 N., R. 2 E.; and all of T. 3 N., R. 3 E.

Simpson County. E $\frac{1}{2}$ T. 2 N., R. 3 E.; all of T. 2 N., R. 4 E.; N $\frac{1}{2}$ T. 1 N., R. 4 E.; secs. 29, 30, 31, and 32, T. 1 N., R. 6 E.; secs. 25, 26, 35, and 36, T. 1 N., R. 5 E.; secs. 4, 5, 6, 7, 8, and 9, T. 10 N., R. 17 W., and secs. 1 and 12, T. 10 N., R. 18 W.

Stone County. W $\frac{1}{2}$ Tps. 2 and 3 S., R. 11 W., secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 4 S., R. 11 W., E $\frac{1}{2}$ T. 2 S., R. 12 W., secs. 3, 4, 5, 8, 9, and 10, T. 2 S., R. 12 W., E $\frac{1}{2}$ T. 3 S., R. 12 W., and secs. 1, 2, 11, 12, 13, 14, 23, and 24, T. 4 S., R. 12 W.

NORTH CAROLINA

Anson County. That area bounded on the east by a due north-south line one mile east of the intersection in Peachland of U. S. Highway No. 74 and the Diamond Hill Road; on the west by a due north-south line intersecting U. S. Highway No. 74 at the point where it crosses Lanes Creek; on the north by a due east-west line $1\frac{1}{10}$ miles north of the intersection in Peachland of U. S. Highway No. 74 and the Diamond Hill Road; on the south by a line parallel to the south corporate limits of Peachland $\frac{1}{10}$ mile south of such corporate limits; and the projection of such lines to their intersections; also all that area included within the corporate limits of Polkton.

Bladen County. All of the area included within the corporate limits of Bladenboro.

Brunswick County. All of Eagles Island.

Cumberland County. That area included within a boundary beginning at the junction of the Cumberland-Hope Mills Road and the Fayetteville-Dundarrach Road; thence following a line due south to the point of intersection with Rockfish Creek; thence easterly along Rockfish Creek to the point where it is crossed by U. S. Highway No. 301; thence northeasterly along U. S. Highway No. 301 to a point of intersection with a line projected due east from the junction of the Cumberland-Hope Mills Road and the Fayetteville-Dundarrach Road; thence west along said line to the point of beginning.

New Hanover County. All of the city of Wilmington; all of Cape Fear Township; all that part of Harnett Township lying west of the Wrightsboro-Winter Park Road, including all the town of Winter Park; and all that part of Masonboro Township lying north of the new Sunset Park-Winter Park Road.

Onslow County. An area one mile wide extending from the junction of U. S. Highway No. 17 and U. S. Highway No. 24 west of Jacksonville and following U. S. Highway No. 17 with said Highway as a center line to the eastern boundary of Hoffman Forest, including all the town of Jacksonville; and an area one mile wide beginning at the eastern corporate limits of Jacksonville and extending southeasterly along U. S. Highway No. 24 with said Highway as a center line to North-east Creek.

Pender County. Townships of Burgaw, Caswell, Long Creek, and Rocky Point; that part of Columbia Township lying south of a straight line constituting a projection eastwardly of the northern boundary line of Caswell Township to its intersection with the northern boundary of Burgaw Town-

ship; and that part of Grady Township north of the Long Creek-Montague-Borough Road.

Robeson County. That area bounded on the south by a line $\frac{1}{2}$ mile south of and parallel to the south corporate limits of Parkton; on the west by a line $\frac{1}{10}$ mile west of and parallel to the west corporate limits of Parkton; on the north and east by the north and east corporation limit lines, respectively, of Parkton; and the projection of such lines to their intersections.

Union County. All of that area included within the corporate limits of Marshville.

Wayne County. All of Goldsboro Township; that area bounded on the north by a due east-west line $\frac{1}{2}$ mile north of the intersection in Pikeville of the Atlantic Coast Line Railroad and Main Street; on the south by a due east-west line $\frac{1}{2}$ mile south of said intersection; on the east and west by the east and west corporation limit lines, respectively, of Pikeville; and the projection of such lines to their intersections.

§ 301.72-3 Regulated articles—(a) Prohibited movement. The movement of live white-fringed beetles in any stage of development from one State or Territory of the United States or the District of Columbia into another of such places, either independently or in connection with any other articles, is prohibited, except as provided in paragraph (b) of § 301.72-9.

(b) Regulated movement. Except as provided in administrative instructions, the interstate movement of the following articles from any regulated area is regulated throughout the year.

(1) Soil, sand, gravel, clay, peat, or muck, whether moved independently or in connection with or attached to nursery stock, plants, products, articles, or things.

(2) Compost, manure, moss, and leaf-mold.

(3) Nursery stock.

(4) Grass sod.

(5) Plant crowns or roots for propagation.

(6) Uncleaned grass, grain, and legume seed.

(7) Potatoes (Irish), when freshly harvested.

(8) True bulbs, corms, tubers, and rhizomes of ornamental plants, when freshly harvested or uncured.

(9) Hay and straw.

(10) Peanuts in shells.

(11) Seed cotton, cottonseed, and baled cotton lint and linters.

(12) Scrap metal and junk.

(13) Forest products such as cordwood, stump wood, logs, lumber, timbers, posts, poles, and cross ties.

(14) Brick, tile, stone, and cinders.

(15) Concrete slabs, pipe, and building blocks.

(16) Implements, machinery equipment, and containers.

§ 301.72-4 Conditions of interstate movement—(a) Certification required. Regulated articles shall not be moved interstate from a regulated area to or through any point outside thereof unless accompanied by a valid inspection certificate issued by an inspector: *Provided*, That certification requirements as they relate to part or all of any regulated area or regulated products may be waived during part or all of the year, by the Chief of the Bureau of Entomology and Plant Quarantine, on his finding and giving due

notice thereof, in administrative instructions, that the State concerned has promulgated and enforced adequate sanitary measures on and about the premises on which regulated articles originate or are retained, or that adequate volunteer sanitary measures have been applied, or that other control or natural conditions exist which have eliminated the risk of contamination by the pests in any stage of development.

(b) Use of certificate on shipments. Unless exempted by administrative instructions, and except as provided in § 301.72-5 (b) for movement of uncertified shipments under limited permits to designated destinations, every container of regulated articles moved interstate from any regulated area shall have securely attached to the outside thereof a certificate issued in compliance with §§ 301.72 to 301.72-9, inclusive, except that in the case of shipments in bulk by rail a master permit attached to the waybill will be sufficient. In the case of shipments in bulk by road vehicle a master permit shall accompany the vehicle and be surrendered to the consignee on delivery.

(c) Movement within continuous areas not regulated. No certificates are required for interstate movement of regulated articles when such movement is wholly within continuous regulated areas.

(d) Articles originating outside the regulated areas. No certificates are required for the interstate movement of regulated articles originating outside of the regulated areas moving through or from a regulated area, when the point of origin is clearly indicated, when their identity has been maintained, and when the articles are protected, while in the regulated area, in a manner satisfactory to the inspector.

§ 301.72-5 Conditions under which certificates and permits may be issued—

(a) Issuance of certificates and master permits. Certificates or master permits authorizing the interstate movement of soil, earth, sand, gravel, clay, peat, muck, or compost originating in noninfested parts of the regulated areas, and of all other regulated articles from any part of the regulated areas may be issued upon determination by the inspector that the articles are (1) apparently free from infestation; or (2) have been treated, fumigated, sterilized, or processed under approved methods; or (3) were grown, produced, manufactured, stored, or handled in such manner that, in the judgment of the inspector, no infestation would be transmitted thereby. Certificates and master permits authorizing the interstate movement of soil, sand, gravel, clay, peat, muck, or compost, originating in an infested area may be issued only when such materials have been treated or handled under methods or conditions approved by the Chief of the Bureau of Entomology and Plant Quarantine.

(b) Limited permits. Limited permits may be issued for the movement of non-certified regulated articles to destinations and consignees as may be authorized and designated by the Chief of the Bureau of Entomology and Plant Quar-

antine for processing or other handling. As a condition of such authorization and designation, persons or firms shipping, receiving, or transporting such articles may be required to agree in writing to maintain such sanitary safeguards against the establishment and spread of infestation and to comply with such conditions as to the maintenance of identity, handling, or subsequent movement of regulated products and cleaning of railway cars, trucks, or other vehicles used in the transportation of such articles as may be required by the inspector.

(c) *Dealer-carrier permit.* As a condition of issuance of certificates or permits for the interstate movement of regulated articles, persons, or firms engaged in purchasing, assembling, exchanging, processing, or carrying such regulated articles originating or stored in regulated areas, may be required to execute a signed agreement stipulating that the permittee will carry out any and all conditions, treatments, precautions, and sanitary measures which may be deemed necessary.

§ 301.72-6 *Procedure for obtaining certificates or permits; applications.* Persons intending to move regulated articles, the certification of which is required, interstate from regulated areas shall make application for certification as far as possible in advance of the probable date of shipment. Applications must show the nature and quantity of articles to be moved, together with their exact location, and if practicable, the contemplated date of shipment. Applicants for inspection may be required to assemble or indicate the articles to be shipped so that they may be readily examined by the inspector.

The United States Department of Agriculture will not be responsible for any cost incident to inspection or treatment other than the services of the inspector.

§ 301.72-7 *Cancellation of certificates or permits.* Certificates or permits issued under these regulations may be withdrawn or canceled and further certification refused whenever, in the judgment of the Chief of the Bureau of Entomology and Plant Quarantine, the further use of such certificates or permits might result in the dissemination of an infestation.

§ 301.72-8 *Cleaning of vehicles.* When in the judgment of the inspector a hazard of spread of infestation is involved, thorough cleaning of freight cars, trucks, and other vehicles may be required before movement interstate to points outside the regulated areas.

§ 301.72-9 *Shipments for experimental or scientific purposes—(a) Articles for experimental or scientific purposes.* Regulated articles other than live white-fringed beetles, may be moved interstate for experimental or scientific purposes on such conditions as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of articles so moved shall bear an identifying tag from the Bureau of Entomology and Plant Quarantine.

(b) *Beetles for scientific purposes.* Live white-fringed beetles, in any stage of development, may be moved from one State or Territory of the United States or the District of Columbia into another of such places for scientific purposes only under conditions prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of white-fringed beetles so moved shall bear an identifying tag from the Bureau of Entomology and Plant Quarantine.

This revision of the quarantine and regulations shall be effective on and after March 15, 1947 and shall supersede the quarantine and regulations issued December 12, 1945. Since the season for shipment of nursery stock is imminent and it is necessary to regulate the movement of nursery stock and other articles from areas infested with the white-fringed beetles and not now regulated, in order to prevent the spread of said insect pest, it is found, upon good cause, that notice and public procedure under the Administrative Procedure Act with respect to extension of the regulated areas in Alabama and Mississippi and certain other changes in the regulations would be contrary to the public interest and that the foregoing quarantine and regulations should be made effective less than 30 days after publication.

Done at Washington, D. C., this 6th day of March 1947.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

APPENDIX

PENALTIES

The Plant Quarantine Act of August 20, 1912, as amended, provides that any person who shall violate any of the provisions of this quarantine or regulations pursuant thereto shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$500, or by imprisonment not exceeding one year, or both such fine and imprisonment in the discretion of the court.

STATE AND FEDERAL INSPECTION

State and Federal regulations for which provision is made in this quarantine are enforced cooperatively by State and Federal authorities. Copies of either the Federal or State quarantine orders may be obtained at the offices of the Bureau of Entomology and Plant Quarantine, P. O. Box 989, Gulfport, Miss., P. O. Box 896, Macon, Ga., or through a White-fringed Beetle Inspector at one of the subsidiary offices, or at one of the following State offices:

GENERAL OFFICES OF STATES COOPERATING

Alabama: Chief, Division of Plant Industry, Montgomery 1.

Florida: Plant Commissioner, State Plant Board, Gainesville.

Georgia: Director of Entomology, State Capitol, Atlanta 3.

Louisiana: State Entomologist, Box 4153, Capitol Station, Baton Rouge 4.

Mississippi: Entomologist, State Plant Board, State College.

North Carolina: State Entomologist, Department of Agriculture, Raleigh.

[F. R. Doc. 47-2311; Filed, Mar. 11, 1947; 8:45 a. m.]

Chapter XIII—Production and Marketing Administration (Surplus Property)

[Form PMA-237, 11-15-46]

PART 1701—SALES OF SURPLUS PROPERTY

GENERAL INFORMATION AND CONDITIONS OF SALE

GENERAL INFORMATION

- | | |
|--------|-----------------------------------|
| Sec. | |
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| 1701.2 | To priority claimants. |
| 1701.3 | To others. |
| 1701.4 | How to submit requests or offers. |

CONDITIONS OF SALE

- | | |
|---------|---|
| 1701.5 | Documents included in contract. |
| 1701.6 | Basis of sale. |
| 1701.7 | Representation. |
| 1701.8 | Payment. |
| 1701.9 | Shipping instructions (f. o. b. carrier). |
| 1701.10 | Delivery. |
| 1701.11 | Transfer of title. |
| 1701.12 | Adjustments. |
| 1701.13 | Compliance. |
| 1701.14 | Officials not to benefit. |

AUTHORITY: §§ 1701.1 to 1701.14, inclusive, issued under sec. 21 (a), 68 Stat. 775; 50 U. S. C., App. Sup., 1630 (a).

GENERAL INFORMATION FOR PROSPECTIVE PURCHASERS OF SURPLUS AGRICULTURAL COMMODITIES AND FOODS

§ 1701.1 *Nature of property sold.* The property listed in Surplus Property Sale Announcements of the United States Department of Agriculture (hereinafter referred to as "USDA") has been declared surplus by owning agencies to USDA for disposal in accordance with Surplus Property Act of 1944 (58 Stat. 775, as amended; 50 U. S. C., App. Sup. 1611 et seq.) The commodities will be sold subject to priorities provided in the regulations (32 CFR Chap. XXIII) of the War Assets Administration (hereinafter referred to as WAA) USDA reserves the right to withdraw all or any part of the property included in any announcement. Prospective purchasers are urged to inspect property.

§ 1701.2 *To priority claimants.* (a) Veterans certified as eligible by WAA, Reconstruction Finance Corporation (for resale) under section 18 (e) of the Surplus Property Act of 1944, State and local governments and instrumentalities thereof for their own use, non-profit institutions whose applications are approved in accordance with procedures prescribed by WAA, and public international organizations for their own use, will be accorded their respective priorities to acquire the property at its fair value pursuant to regulations of the WAA. Educational and public health instrumentalities and non-profit institutions whose applications are approved in accordance with procedures prescribed by WAA may acquire the property at its fair value, less the 40% discount authorized by the regulations of the WAA and USDA if the approval of the application expressly provides for such discount.

(b) A prospective purchaser who is entitled to acquire property on the basis of its fair value will be notified by telegram of the quantity allotted to him and

the definite price which is determined to be fair value as soon as determination as to such quantity and price has been made. If he wishes to buy he shall accept such allotment at such price. Such acceptance must be received by USDA at the address shown on the announcement within 24 hours following the sending of the telegram by USDA, otherwise the request of such purchaser will be deemed withdrawn. If there is no quantity available the prospective purchaser will be notified of that fact by mail.

§ 1701.3 *To others.* Subject to prior sale to holders of priorities under regulations of WAA, the property described in the announcements is offered to the following groups in the order named:

- (a) Original vendor or processor.
 - (b) Vendors or processors of like commodities.
 - (c) Wholesale food distributors, chain stores, and other such trade groups.
 - (d) All others.
- USDA reserves the right to reject any and all offers in whole or in part.

§ 1701.4 *How to submit requests or offers—(a) Priority claimants.* (1) A prospective purchaser who is a holder of a priority under regulations of WAA, in making a request shall indicate the item, lot number, and quantity of the property requested. The request shall contain the Priority Announcement number and specify that it is subject to such Priority Announcement. Requests of State and local governments and instrumentalities thereof shall contain the following certification: "The property listed herein is for the priority claimant's own use and not for transfer or disposition to others." If requests submitted by Reconstruction Finance Corporation (for resale) State and local governments, non-profit institutions and public international organizations are made on a printed form normally used by the requesting agency in the procurement of supplies, a statement should also be made on such form to the effect that any terms or conditions contained therein which are in variance with the terms and conditions of the Priority Announcement or in addition thereto are void and have no effect whatsoever.

(2) A prospective purchaser who is a veteran certified as eligible by WAA, should file with his request the signed original of his certificate of eligibility or indicate that such certificate has been previously submitted.

(3) Non-profit institutions desiring to acquire surplus property at "fair value" as well as educational and public health non-profit institutions and instrumentalities desiring to acquire such property at "fair value less 40%" must establish their eligibility for obtaining property at "fair value" or at "fair value less 40%," as the case may be, in accordance with regulations of WAA.

(b) *Others.* All others shall submit offers by letter or telegram indicating the item, lot number, and quantity on which they are making an offer and the unit price (for instance price per pound, dozen, gallon) bid on each individual item. This offer shall also contain the announcement number and shall specify

that the offer is subject to the conditions of such announcement.

(c) *Submission.* All priority requests and commercial offers should be addressed to USDA at the address shown in the announcement. If request by priority holder is made by mail a notation should be placed in the lower left-hand corner of the envelope: "Request under Priority Announcement No. -- Do not open." If offers from others are made by mail, a notation should be placed on the lower left-hand corner of the envelope: "Offer under Announcement No. -- Do not open." The applicable Priority Announcement number or announcement number shall be inserted by the prospective purchaser.

CONDITIONS OF SALE

§ 1701.5 *Documents included in contract.* These conditions of sale, the notification of quantity and fair value by USDA, and the acceptance thereof by the priority purchaser; or these conditions of sale, the offer of a commercial purchaser, and the acceptance by USDA constitute a valid and binding contract which arises when the acceptance is sent. The Surplus Property Sale Announcement issued by USDA is referred to herein as "the announcement."

§ 1701.6 *Basis of sale.* The information as to the commodity stated in the announcement is based on available reports. USDA warrants that it has the right to transfer title to the commodity sold and, if the commodity is a food, that it is fit for human consumption, but makes no other warranty, expressed or implied, by way of description or otherwise, unless the announcement refers to a particular statement as a warranty.

§ 1701.7 *Representation.* After a contract has been made by USDA and a purchaser, no variation from the contract or modification thereof, and no representation made or warranty given by any Federal employee in variance thereof, shall be of any effect, unless it is specified in writing, and it is duly made a part of the contract or constitutes an amendment thereof.

§ 1701.8 *Payment—(a) State and local Governments, RFC (for resale), and public international organization.* Billing for the contracted quantity will be made as soon as practicable by USDA after issuance of a "Notice to Release." Payment shall be made within 30 days after date of such billing.

(b) *Others.* (1) The purchaser shall forward a Certified or Cashier's Check, payable to the "Treasurer of the United States" which must be received not later than 10 days from the date of the acceptance. If payment is not received within the time herein prescribed, USDA will consider the purchaser in default and may at its option offer the commodity again for sale. If, as a result of such offer, the commodity is sold for a lesser amount, the defaulting purchaser agrees promptly to reimburse USDA for such deficiency. By such sale, however, USDA shall not be deemed to have waived any other rights it may have.

(2) Payment shall cover the full amount of the purchase, shall be accompanied by an appropriate letter of transmittal in duplicate indicating the check number, amount of check, contract number, name of commodity, and, in case of f. o. b. carrier sales, shipping instructions, and shall be forwarded to the Director, Fiscal Branch, FMA, U. S. Department of Agriculture, Washington 25, D. C.

§ 1701.9 *Shipping instructions (f. o. b. carrier).* When the announcement provides for delivery f. o. b. carrier, State and local governments, RFC (for resale) and public international organizations shall forward adequate shipping instructions, including information as to destination carrier, so that they shall be received by USDA within ten days after date of acceptance. All other purchasers shall furnish adequate shipping instructions, including information as to destination carrier, as a part of their letters transmitting checks in accordance with § 1701.8 (b). If shipping instructions are not received by USDA within the time prescribed, the Government may store the property elsewhere for the account and at the expense of the purchaser.

§ 1701.10 *Delivery—(a) Indications in announcement as to method of sale.* The announcement indicates whether particular lots will be delivered on the basis of f. o. b. carrier or transfer of title at present location. The provisions applicable to each of these modes of delivery are detailed herein.

(b) *F. o. b. carrier.* In the case of commodities sold to State and local governments, to RFC (for resale) or to public international organizations, USDA will mail a Notice to Release to the custodian of the commodity as soon as practicable after receipt of shipping instructions. In the case of other purchasers, USDA will mail a Notice to Release to the custodian of the commodity as soon as practicable after receiving payment therefor and shipping instructions. In all cases, a copy of the Notice to Release will be mailed to the purchaser at the time such notice is mailed to the custodian. The Government will deliver the commodity f. o. b. carrier at present location in accordance with purchaser's shipping instructions, freight collect. If shipping instructions provide that the purchaser will pick up the commodity, he shall do so within the ten day period beginning on the sixth calendar day after the mailing of the Notice to Release by USDA. If the purchaser fails to pick up the commodity within such ten day period, the commodity may be delivered f. o. b. carrier, consigned to the purchaser at the address indicated in the contract, freight collect.

(c) *Transfer of title at present location.* In the case of commodities sold to State and local governments, to RFC (for resale) or to public international organizations, USDA will mail a Notice to Release to the custodian of the commodity as soon as practicable. In the case of other purchasers, USDA will mail a Notice to Release to the custodian of the commodity as soon as practicable after receiving payment therefor, as pre-

scribed in § 1701.8 (b) In all cases a copy of the Notice to Release will be mailed to the purchaser who shall, upon receipt thereof, arrange for shipment or continued storage. All handling, loading, storage and other warehouse charges which may accrue prior to the close of business on the fifteenth calendar day after mailing of the Notice to Release shall be for the account of the Government. All handling, loading, storage, and other warehouse charges which may accrue after the close of business of such fifteenth day shall be for the account of the purchaser.

§ 1701.11 *Transfer of title*—(a) *Indications in announcement as to method of sale.* The announcement indicates whether particular lots will be delivered on the basis of f. o. b. carrier or transfer of title at present location. The provisions applicable to transfer of title for each of these modes of delivery are detailed herein.

(b) *F o. b. carrier* Title to the property shall pass to the purchaser when the bill of lading is executed by the carrier showing acceptance of the commodity by the carrier. If the Government stores the property elsewhere in accordance with § 1701.9, title shall pass to the purchaser when the property is delivered to such other place of storage.

(c) *Transfer of title at present location.* Title to the commodity will pass to the purchaser at present location at the close of business of the fifteenth day following the mailing of the Notice to Release to the custodian of the commodity or at the time purchaser takes actual possession, whichever is earlier.

§ 1701.12 *Adjustments.* If there is any overage or shortage as between the quantity of the commodity purchased and the quantity delivered, the total purchase price will be adjusted at the unit sale price, and reimbursement to the purchaser in case of shortage and payment to USDA in case of overage will be made promptly. Claims for shortages must be supported by satisfactory documents showing the variance in the quantity at the time of delivery. In case of total failure to deliver, for reasons beyond the control of USDA or because the commodity is not available for delivery in accordance with the contract, USDA will refund the purchase price to the purchaser. If commodity or any portion thereof is not as warranted, an adjustment will be made at a rate not to exceed the unit sale price. All commodities which are claimed not to comply with the warranty shall be held subject to inspection and disposition instructions by USDA except where local ordinance forbids such holding, in which event purchaser shall submit an official certificate from the local government authorities setting forth the quantity, condition, and disposition of the commodities. In the previously mentioned cases of shortages, total failure to deliver, or failure to meet warranty, USDA shall not be liable beyond the extent specified, but sales shall be subject to such other adjustments (including additional adjustments in cases of shortage, total failure to deliver, or failure to meet warranty) upon the re-

quest of the purchaser as the Secretary of Agriculture or his designated representative may in his sole discretion determine to be equitable under the circumstances. Such determinations shall in all cases be final. All claims and requests for adjustment under this paragraph must be presented to USDA within 60 days after transfer of title.

§ 1701.13 *Compliance.* Purchaser agrees to comply with all applicable regulations and directives of the U. S. Food and Drug Administration, Civilian Production Administration, Office of Price Administration, and the Secretary of Agriculture, and all other applicable governmental regulations and directives.

§ 1701.14. *Officials not to benefit.* No member of, or delegate to Congress, or Resident Commissioner shall be admitted to any share or part of the contract or to any benefit that may arise therefrom, but this provision shall not be construed to extend to the contract if made with a corporation for its general benefit. (R. S. 3741, as amended, 35 Stat. 1109, as amended; 41 U. S. C. 22; 18 U. S. C. 204-6)

Issued this 7th day of March 1947.

[SEAL]

RALPH S. TRIGG,
Acting Administrator

[F. R. Doc. 47-2312; Filed, Mar. 11, 1947;
8:45 a. m.]

Chapter XXI—Organization, Functions and Procedure of the Department of Agriculture

Subchapter C—Production and Marketing Administration

PART 2301—OFFICE OF THE ADMINISTRATOR

Paragraph (b) *Surplus property, in § 2301.13 Procedures* (11 F. R. 177A-261) is amended by amending the second sentence thereof to read as follows: "Additional policies and procedures governing the disposal of surplus agricultural commodities and surplus foods processed therefrom are issued by the Department of Agriculture (7 CFR Parts 1700 et seq.)"

(Sec. 21 (a) 58 Stat. 775; 50 U. S. C., App. Sup., 1630 (a))

Issued this 7th day of March 1947.

[SEAL]

RALPH S. TRIGG,
Acting Administrator, Production
and Marketing Administration.

[F. R. Doc. 47-2313; Filed, Mar. 11, 1947;
8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amdt. 97]

PART 600—DESIGNATION OF CIVIL AIRWAYS REDESIGNATION OF CIVIL AIRWAYS

It appearing that: (1) The increased volume of air traffic at certain points necessitates, in the interest of safety in

air commerce, the immediate establishment of control areas at such points; (2) the immediate realignment of civil airways in certain areas is necessary to expedite traffic control in such areas; and (3) the establishment of the control areas referred to in (1) above, and the realignment of civil airways referred to in (2) above, have been coordinated with the civil operators involved, the Army and the Navy through the Air Coordinating Committee, Airspace Subcommittee;

And finding that: The general notice of proposed rule making and public procedure provided for in section 4 (a) of the Administrative Procedure Act is impracticable and unnecessary.

Now, therefore, acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics as follows:

Redesignation of Civil Airways: Green Civil Airway No. 5, Amber Civil Airway No. 4, Red Civil Airways Nos. 1, 6, 13, 19, 33, 37 and 50; and Blue Civil Airway No. 36

1. By amending § 600.10004 to read as follows:

§ 600.10004 *Green civil airway No. 5 (Los Angeles, Calif., to Boston, Mass.)* From the Los Angeles, Calif., radio range station via the Riverside, Calif., radio range station; the intersection of the center lines of the on course signals of the east leg of the Riverside, Calif., radio range and the west leg of the Blythe, Calif., radio range; Blythe, Calif., radio range station; Phoenix, Ariz., radio range station; the intersection of the center lines of the on course signals of the south leg of the Phoenix, Ariz., radio range and the northwest leg of the Tucson, Ariz., radio range; Tucson, Ariz., radio range station; the intersection of the center lines of the on course signals of the southeast leg of the Tucson, Ariz., radio range and the west leg of the Cochise, N. Mex., radio range; Cochise, N. Mex., radio range station; Rodeo, N. Mex., radio range station; Columbus, N. Mex., radio range station; El Paso, Tex., radio range station; Salt Flat, Tex., radio range station; Wink, Tex., radio range station; Big Spring, Tex., radio range station; Abilene, Tex., radio range station; Fort Worth, Tex., radio range station; Texarkana, Ark., radio range station; Memphis, Tenn., radio range station; Jacks Creek, Tenn., radio range station; Nashville, Tenn., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Nashville, Tenn., radio range and the northwest leg of the Smithville, Tenn., radio range; Smithville, Tenn., radio range station; the intersection of the center lines of the on course signals of the east leg of the Smithville, Tenn., radio range and the west leg of the Knoxville, Tenn., radio range, excluding that portion which lies more than two miles north of the center line of the on course signal of the west leg of the Knoxville, Tenn., radio range between the intersection of the center lines of the on course signals of the east

leg of the Smithville, Tenn., radio range and the west leg of the Knoxville, Tenn., radio range and a point thirteen miles west of the Knoxville, Tenn., radio range station; Knoxville, Tenn., radio range station; Tri-City, Tenn., radio range station; Pulaski, Va., radio range station; Roanoke, Va., radio range station; Gordonsville, Va., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Gordonsville, Va., radio range and the south leg of the Washington, D. C., radio range; a point at latitude 38°41'50" longitude 76°51'47" the Millville, N. J., radio range station, the intersection of the center lines of the on course signals of the northeast leg of the Millville, N. J., radio range and the southwest leg of the Mitchel Field, N. Y. (Army) radio range; the Mitchel Field, N. Y. (Army) radio range station, the intersection of the center lines of the on course signals of the northeast leg of the Mitchel Field, N. Y. (Army), radio range and the southwest leg of the Boston, Mass., radio range to the intersection of the center lines of the on course signals of the southwest leg of the Boston, Mass., radio range and the southeast leg of the Westfield, Mass., radio range.

2. By amending § 600.10103 *Amber civil airway No. 4 (Brownsville, Tex., to Bismarck, N. Dak.)* to read as follows:

§ 600.10103 *Amber civil airway No. 4 (Brownsville, Tex., to Minot, N. Dak.)*. From the Municipal Airport, Brownsville, Tex., via the Brownsville, Tex., radio range station; the intersection of the center lines of the on course signals of the northwest leg of the Brownsville, Tex., radio range and the south leg of the Alice, Tex., radio range; the Alice, Tex., radio range station; the intersection of the center lines of the on course signals of the north leg of the Alice, Tex., radio range, and the south leg of the Alamo radio range, San Antonio, Tex., the Alamo radio range station, San Antonio, Tex., the intersection of the center lines of the on course signals of the north leg of the Alamo radio range, San Antonio, Tex., and the southwest leg of the Austin, Tex., radio range; Austin, Tex., radio range station; Waco, Tex., radio range station; the intersection of the center lines of the on course signals of the northwest leg of the Waco, Tex., radio range and the south leg of the Fort Worth, Tex., radio range; Fort Worth, Tex., radio range station; the intersection of the center lines of the on course signals of the north leg of the Fort Worth, Tex., radio range and the south leg of the Oklahoma City, Okla., radio range; Oklahoma City, Okla., radio range station; the intersection of the center lines of the on course signals of the east leg of the Oklahoma City, Okla., radio range and the southwest leg of the Tulsa, Okla., radio range; Tulsa, Okla., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Tulsa, Okla., radio range and the south leg of the Chanute, Kans., radio range; Chanute, Kans., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Chanute,

Kans., radio range and the southwest leg of the Kansas City, Mo., radio range; Kansas City, Mo., radio range station; St. Joseph, Mo., radio range station; Omaha, Nebr., radio range station; Sioux City, Iowa, radio range station; Sioux Falls, S. Dak., radio range station; Huron, S. Dak., radio range station; the Aberdeen, S. Dak., Municipal Airport, the Bismarck, N. Dak., radio range station and the intersection of the center lines of the north leg of the Bismarck, N. Dak., radio range and the southeast leg of the Minot, N. Dak., radio range to the Minot, N. Dak., radio range station.

3. By amending § 600.10200 to read as follows:

§ 600.10200 *Red civil airway No. 1 (Portland, Oreg., to Kansas City, Mo.)*. From the Portland, Oreg., radio range station via the intersection of the center lines of the on course signals of the east leg of the Portland, Oreg., radio range and the northwest leg of the Dalles, Oreg., radio range; The Dalles, Oreg., radio range station; Pendleton, Oreg., radio range station; Baker, Oreg., radio range station; Boise, Idaho, radio range station; the intersection of the center lines of the on course signals of the southeast leg of the Boise, Idaho, radio range and the northwest leg of the Burley, Idaho, radio range; the Burley, Idaho, radio range station; Malad City, Idaho, radio range station and the intersection of the center lines of the on course signals of the southeast leg of the Malad City, Idaho, radio range and the north leg of the Fort Bridger, Wyo., radio range to the Fort Bridger, Wyo., radio range station. From the intersection of the center lines of the on course signals of the northwest leg of the Laramie, Wyo., radio range and the northwest leg of the Cheyenne, Wyo., radio range via the Laramie, Wyo., radio range station to the intersection of the center lines of the on course signals of the southeast leg of the Laramie, Wyo., radio range and the north leg of the Denver, Colo., radio range. From the Akron, Colo., radio range station via the Salina, Kans., radio range station and the center of the city of McFarland, Kans., to the Kansas City, Mo., radio range station.

4. By amending § 600.10205 *Red civil airway No. 6 (Sinclair, Wyo., to Grand Island, Nebr.)* to read as follows:

§ 600.10205 *Red civil airway No. 6 (Las Vegas, Nev., to Grand Island, Nebr.)*. From the intersection of the center lines of the on course signals of the northeast leg of the Las Vegas, Nev., radio range and the southwest leg of the St. George, Utah, VHF radio range via the St. George, Utah, VHF radio range station; the Bryce Canyon, Utah, VHF radio range station; the Hanksville, Utah, VHF radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Hanksville, Utah, VHF radio range and the southwest leg of the Grand Junction, Colo., VHF radio range; the Grand Junction, Colo., VHF radio range station; the intersection of the center lines of the on course signals of the northeast

leg of the Grand Junction, Colo., VHF radio range and the southwest leg of the Eagle, Colo., VHF radio range, the Eagle, Colo., VHF radio range station to the intersection of the center lines of the on course signals of the northeast leg of the Eagle, Colo., VHF radio range and the west leg of the Denver, Colo., VHF radio range to the Denver, Colo., VHF radio range station. From the Denver, Colo., radio range station via the Akron, Colo., radio range station and the Hayes Center, Nebr., radio range station to the Grand Island, Nebr., radio range station.

5. By amending § 600.10212 to read as follows:

§ 600.10212 *Red civil airway No. 13 (Sunbury, Pa., to Boston, Mass.)*. From the intersection of the center lines of the on course signals of the east leg of the Phillipsburg, Pa., radio range and the southwest leg of the Wilkes-Barre, Pa., radio range via the Wilkes-Barre, Pa., radio range station; Stewart Field, N. Y., radio range station; New Hackensack, N. Y., radio range station; Hartford, Conn., radio range station and the Providence, R. I., radio range station to the intersection of the center lines of the on course signals of the northeast leg of the Providence, R. I., radio range and the southwest leg of the Boston, Mass., radio range.

6. By amending § 600.10218 *Red civil airway No. 19 (Dayton, Ohio, to Grand Rapids, Mich.)* to read as follows:

§ 600.10218 *Red civil airway No. 19 (Washington, D. C., to Grand Rapids, Mich.)*. From the intersection of the center lines of the on course signals of the west leg of the Front Royal, Va., radio range and the southeast leg of the Morgantown, W. Va., radio range via the Morgantown, W. Va., radio range station to the intersection of the center lines of the on course signals of the northwest leg of the Morgantown, W. Va., radio range and the west leg of the Pittsburgh, Pa., radio range. From the Dayton, Ohio, radio range station via the Fort Wayne, Ind., radio range station; to the intersection of the center lines of the on course signals of the northwest leg of the Fort Wayne, Ind., radio range and the east leg of the Goshen, Ind., radio range. From the Goshen, Ind., radio range station via the intersection of the center lines of the on course signals of the north leg of the Goshen, Ind., radio range and the southwest leg of the Grand Rapids, Mich., radio range to the Grand Rapids, Mich., radio range station.

7. By amending § 600.10232 *Red civil airway No. 33 (Gordonsville, Va., to Boston, Mass.)* to read as follows:

§ 600.10232 *Red civil airway No. 33 (Richmond, Va., to New Hackensack, N. Y.)*. From the Richmond, Va., radio range station via the Gordonsville, Va., radio range station; the Arcola, Va., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Arcola, Va., radio range and the southwest leg of the Allentown, Pa., radio range; the Allentown, Pa., radio range station to the Stewart Field, N. Y., radio range station.

8. By amending § 600.10236 *Red civil airway No. 37 (Texarkana, Ark., to Washington, D. C.)* to read as follows:

§ 600.10236 *Red civil airway No. 37 (Dallas, Tex., to Washington, D. C.)*. From the intersection of the center lines of the on course signals of the northwest leg of the Tyler, Tex., radio range and the east leg of the Dallas, Tex., radio range via the Tyler, Tex., radio range station to the intersection of the center lines of the on course signals of the northeast leg of the Tyler, Tex., radio range and the west leg of the Shreveport, La., radio range. From the intersection of the center lines of the on course signals of the northeast leg of the Texarkana, Ark., radio range and the southwest leg of the Little Rock, Ark., radio range via the Little Rock, Ark., radio range station; the Stuttgart, Ark., radio range station to the intersection of the center lines of the on course signals of the east leg of the Stuttgart, Ark., radio range and the west leg of the Memphis, Tenn., radio range. From the Roanoke, Va., radio range station via the Lynchburg, Va., radio range station to the Gordonsville, Va., radio range station. From the intersection of the center lines of the on course signals of the south leg of the Quantico, Va. (Navy) radio range and the southwest leg of the Washington, D. C., radio range via the Quantico, Va. (Navy) radio range station to the intersection of the center lines of the on course signals of the north leg of the Quantico, Va. (Navy) radio range and the northwest leg of the Washington, D. C., radio range, excluding that portion which lies more than two miles west of the center line of the on course signal of the north leg of the Quantico, Va. (Navy) radio range between the range station and the intersection of the north leg of the Quantico, Va. (Navy) radio range and the northwest leg of the Washington, D. C., radio range.

9. By amending § 600.10249 to read as follows:

§ 600.10249 *Red civil airway No. 50 (Galena, Alaska, to Fairbanks, Alaska)*. From the intersection of the center lines of the on course signals of the east leg of the Galena, Alaska, radio range and the southwest leg of the Tanana, Alaska, radio range via the Tanana, Alaska, radio range station to the intersection of the center lines of the on course signals of the southeast leg of the Tanana, Alaska, radio range and the west leg of the Fairbanks, Alaska, radio range. From the Nenana, Alaska, radio range station to the intersection of the center lines of the on course signals of the southeast leg of the Nenana, Alaska, radio range and the southwest leg of the Fairbanks, Alaska, radio range.

10. By adding new § 600.10259 to read as follows:

§ 600.10259 *Red civil airway No. 60 (Oakland, Calif., to Stockton, Calif.)*. From the Oakland, Calif., radio range station via the Stockton, Calif., radio range station; to the intersection of the center lines of the on course signals of the east leg of the Stockton, Calif., radio

range and the southeast leg of the Sacramento, Calif., radio range.

11. By amending § 600.10317 to read as follows:

§ 600.10317 *Blue civil airway No. 18 (Philadelphia, Pa., to Burlington, Vt.)*. From the intersection of the center lines of the on course signals of the northeast leg of the Philadelphia, Pa., radio range and the southwest leg of the New York, N. Y. (La Guardia) radio range via the intersection of the center lines of the on course signals of the northeast leg of the Philadelphia, Pa., radio range and the southwest leg of the Idlewild, N. Y., radio range; the Idlewild, N. Y., radio range station to the intersection of the center line of the on course signals of the northeast leg of the Idlewild, N. Y., radio range and the east leg of the New York, N. Y. (La Guardia) radio range. From the intersection of the center line of the on course signals of the northwest leg of the New York, N. Y. (La Guardia) radio range and the southwest leg of the New Hackensack, N. Y., radio range via the New Hackensack, N. Y., radio range station, excluding that portion which lies more than two miles west of the center line of the on course signals of the southwest leg of the New Hackensack, N. Y., radio range between a point 25 miles northeast from the intersection of the center line of the on course signals of the northwest leg of the New York, N. Y. (La Guardia) radio range and the southwest leg of the New Hackensack, N. Y., radio range and a point 10 miles south of the New Hackensack, N. Y., radio range; the Albany, N. Y., radio range station to the Burlington, Vt., radio range station.

12. By amending § 600.10335 to read as follows:

§ 600.10335 *Blue civil airway No. 36 (Akron, Colo., to North Platte, Nebr.)*. From the Akron, Colo., radio range station to the North Platte, Nebr., radio range station.

13. By amending § 600.10106 to read as follows:

§ 600.10106 *Amber civil airway No. 7 (Key West, Fla., to Caribou, Maine)*. From the Key West, Fla., radio range station via a point at latitude 24°51'20" longitude 80°40'20", Miami, Fla., radio range station; the intersection of the center lines of the on course signals of the north leg of the Miami, Fla., radio range and the southeast leg of the Melbourne, Fla., radio range; Melbourne, Fla., radio range station; Daytona Beach, Fla., radio range station; Jacksonville, Fla., radio range station; Savannah, Ga., radio range station; the intersection of the center lines of the on course signals of the northwest leg of the Savannah, Ga., radio range and the southwest leg of the Charleston, S. C., radio range; Charleston, S. C., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Charleston, S. C., radio range and the southeast leg of the Florence, S. C., radio range; Florence, S. C., radio range station; the intersection of the center lines of the on course signals of the northeast

leg of the Florence, S. C., radio range and the south leg of the Raleigh, N. C., radio range; Raleigh, N. C., radio range station; Richmond, Va., radio range station; the intersection of the center lines of the on course signals of the north leg of the Richmond, Va., radio range and the south leg of the Washington, D. C., radio range; the Washington, D. C., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Washington, D. C., radio range and the southwest leg of the Philadelphia, Pa., radio range; Philadelphia, Pa., radio range station; Newark, N. J., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Newark, N. J., radio range and the northeast leg of the New York, N. Y. (La Guardia) radio range; Hartford, Conn., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Hartford, Conn., radio range and the west leg of the Boston, Mass., radio range; Boston, Mass., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Boston, Mass., radio range and the southwest leg of the Portland, Maine, radio range; Portland, Maine, radio range station; Augusta, Maine, radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Augusta, Maine, radio range and the southwest leg of the Bangor, Maine, radio range; Bangor, Maine, radio range station; the intersection of the center lines of the on course signals of the northwest leg of the Bangor, Maine, radio range and the southwest leg of the Millinocket, Maine, radio range; Millinocket, Maine, radio range station; Presque Isle, Maine, radio range; Presque Isle, Maine, radio range station; to the Municipal Airport, Caribou, Maine.

14. By deleting § 600.10404 which reads as follows:

§ 600.10404 *Bismarck, N. Dak., to Minot, N. Dak. civil airway*. From the Municipal Airport, Bismarck, N. Dak., to the Municipal Airport, Minot, N. Dak.

This amendment shall become effective 0001 e. s. t., March 15, 1947.

(Sec. 302, 52 Stat. 985, 54 Stat. 1233, 1235, 1236; 49 U. S. C. 452)

T. P. WRIGHT,
Administrator of Civil Aeronautics.
[F. R. Doc. 47-2327; Filed, Mar. 11, 1947;
8:46 a. m.]

[Amdt. 151]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, AIRPORT APPROACH ZONES, AIRPORT TRAFFIC ZONES AND RADIO FIXES

REDESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS AND RADIO FIXES

It appearing that: (1) The increased volume of air traffic at certain points necessitates, in the interest of safety in air commerce, the immediate establishment of control areas, including airport traffic zones and radio fixes, at such

points; (2) the immediate realignment of civil airways in certain areas is necessary to expedite traffic control in such areas; and (3) the establishment of the control areas referred to in (1) above, and the realignment of civil airways referred to in (2) above, have been coordinated with the civil operators involved, the Army and the Navy through the Air Coordinating Committee, Airspace Subcommittee;

And finding that: The general notice of proposed rule making and public procedure provided for in section 4 (a) of the Administrative Procedure Act is impracticable and unnecessary.

Now, therefore, acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

Redesignation of Airway Traffic Control Areas: Amber Civil Airway No. 4; Red Civil Airways Nos. 1, 6, 19, 33, 37, 50, 60. Redesignation of Radio Fixes: Green Civil Airways Nos. 2, 3 and 5, Amber Civil Airways Nos. 4 and 7 Red Civil Airways Nos. 1, 6, 13, 19, 33, 37 and 60; Blue Civil Airways Nos. 4 and 11

1. By amending § 601.1014 *Amber civil airway No. 4 airway traffic control areas (Brownsville, Tex., to Bismarck, N. Dak.)* to read as follows:

§ 601.1014 *Amber civil airway No. 4 airway traffic control areas (Brownsville, Tex., to Minot, N. Dak.)* All of Amber civil airway No. 4.

2. By amending § 601.10201 to read as follows:

§ 601.10201 *Red civil airway No. 1 airway traffic control areas (Portland, Oreg., to Kansas City, Mo.)*. All of Red civil airway No. 1 from Portland, Oreg., radio range station to the intersection of the center lines of the on course signals of the southeast leg of the Laramie, Wyo., radio range and the north leg of the Denver, Colo., radio range. From the Akron, Colo., radio range station to a line extended at right angles across such airway through a point 25 miles southeast of the Akron, Colo., radio range station; from such line and between the altitudes of 6,500 feet above mean sea level and 8,500 feet above mean sea level to a line extended at right angles across such airway through a point 25 miles west of the Kansas City, Mo., radio range station; from such line to the Kansas City, Mo., radio range station.

3. By amending § 601.10206 *Red civil airway No. 6 airway traffic control areas (Sinclair Wyo., to Grand Island, Nebr.)* to read as follows:

§ 601.10206 *Red civil airway No. 6 airway traffic control areas (Las Vegas, Nev., to Grand Island, Nebr.)* All of Red civil airway No. 6.

4. By amending § 601.10219 *Red civil airway No. 19 airway traffic control areas (Dayton, Ohio, to Grand Rapids, Mich.)* to read as follows:

§ 601.10219 *Red civil airway No. 19 airway traffic control areas (Washington, D. C., to Grand Rapids, Mich.)* All of Red civil airway No. 19.

5. By amending § 601.10233 *Red civil airway No. 33 airway traffic control areas (Gordonsville, Va., to Boston, Mass.)* to read as follows:

§ 601.10233 *Red civil airway No. 33 airway traffic control areas (Richmond, Va., to New Hackensack, N. Y.)* All of Red civil airway No. 33.

6. By amending § 601.10237 *Red civil airway No. 37 airway traffic control areas (Texarkana, Ark., to Washington, D. C.)* to read as follows:

§ 601.10237 *Red civil airway No. 37 airway traffic control areas (Dallas, Tex., to Washington, D. C.)*. All of Red civil airway No. 37.

7. By adding a new § 601.10250 to read as follows:

§ 601.10250 *Red civil airway No. 50 airway traffic control areas (Galena, Alaska, to Fairbanks, Alaska)*. All of Red civil airway No. 50 between the intersection of the center lines of the on course signals of the northwest leg of the Nenana, Alaska, radio range and the west leg of the Fairbanks, Alaska, radio range and the intersection of the center lines of the on course signals of the southeast leg of the Nenana, Alaska, radio range and the southwest leg of the Fairbanks, Alaska, radio range.

8. By adding a new § 601.10260 to read as follows:

§ 601.10260 *Red civil airway No. 60 airway traffic control areas (Oakland, Calif., to Stockton, Calif.)* All of Red civil airway No. 60.

9. By amending § 601.4002 to read as follows:

§ 601.4002 *Green civil airway No. 2 (Seattle, Wash., to Boston, Mass.)* Seattle, Wash., radio range station; Ellensburg, Wash., radio range station; Ephrata, Wash., radio range station; Spokane, Wash., radio range station; Coeur D'Alene, Idaho, radio range station; Mullan Pass, Idaho, radio range station; Superior, Mont., radio range station; Drummond, Mont., radio range station; Helena, Mont., radio range station; Bozeman, Mont., radio range station; Billings, Mont., radio range station; Miles City, Mont., radio range station; Dickinson, N. Dak., radio range station; Bismarck, N. Dak., radio range station; Fargo, N. Dak., radio range station; Alexandria, Minn., radio range station; Minneapolis, Minn., radio range station; La Crosse, Wis., radio range station; Lone Rock, Wis., radio range station; Milwaukee, Wis., radio range station; Muskegon, Mich., radio range station; Grand Rapids, Mich., radio range station; Lansing, Mich., radio range station; Wixom, Mich., fan type radio marker station or the intersection of the center lines of the on course signals of the north leg of the Romulus, Mich. (Romulus Army Air Field), radio range and the east leg of the Lansing, Mich., radio range; Romulus, Mich. (Romulus Army

Air Field) radio range station; Buffalo, N. Y., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Hartford, Conn., radio range and the southwest leg of the Westfield, Mass., radio range; Franklin, Mass., fan type radio marker station or the intersection of the center lines of the on course signals of the northeast leg of the Providence, R. I., radio range and the southwest leg of the Boston, Mass., radio range; Boston, Mass., radio range station.

10. By amending § 601.4003 to read as follows:

§ 601.4003 *Green civil airway No. 3 (San Francisco, Calif., to New York, N. Y.)* San Francisco, Calif., radio range station; Oakland, Calif., radio range station; Sacramento, Calif., radio range station; Donner Summit, Calif., radio range station; Reno, Nev., radio range station; Humboldt, Nev., radio range station; Elko, Nev., radio range station; Lucin, Utah, radio range station; Ogden, Utah, radio range station; Fort Bridger, Wyo., radio range station; Rock Springs, Wyo., radio range station; Sinclair, Wyo., radio range station; Cheyenne, Wyo., radio range station; the intersection of the center lines of the on course signals of the southeast leg of the Scotts Bluff, Nebr., radio range and the west leg of the North Platte, Nebr., radio range; North Platte, Nebr., radio range station; Grand Island, Nebr., radio range station; Omaha, Nebr., radio range station; Des Moines, Iowa, radio range station; Joliet, Ill., radio range station; Goshen, Ind., radio range station; Toledo, Ohio, radio range station; Cleveland, Ohio, radio range station; Youngstown, Ohio, radio range station; Phillipsburg, Pa., radio range station; the intersection of the center lines of the on course signals of the east leg of the Phillipsburg, Pa., radio range and the south leg of the Williamsport, Pa., radio range; Allentown, Pa., radio range station.

11. By amending § 601.4005 to read as follows:

§ 601.4005 *Green civil airway No. 5 (Los Angeles, Calif., to Boston, Mass.)* Los Angeles, Calif., radio range station; Riverside, Calif., radio range station; Blythe, Calif., radio range station; Phoenix, Ariz., radio range station; Tucson, Ariz., radio range station; Rodeo, N. Mex., radio range station; Columbus, N. Mex., radio range station; El Paso, Tex., radio range station; Salt Flat, Tex., radio range station; Wink, Tex., radio range station; Big Spring, Tex., radio range station; Abilene, Tex., radio range station; Fort Worth, Tex., radio range station; Texarkana, Ark., radio range station; Memphis, Tenn., radio range station; Jacks Creek, Tenn., radio range station; Nashville, Tenn., radio range station; Smithville, Tenn., radio range station; Knoxville, Tenn., radio range station; Tri-City, Tenn., radio range station; Pulaski, Va., radio range station; Roanoke, Va., radio range station; Gordonsville, Va., radio range station; Doncaster, Md., fan type radio marker station or the intersection of the center lines of the on course signals of the northeast

leg of the Gordonsville, Va., radio range and the south leg of the Washington, D. C., radio range; Brandywine, Md., radio range station; the intersection of the center lines of the on course signals of the southeast leg of the Baltimore, Md., radio range and the southwest leg of the Millville, N. J., radio range; the intersection of the center lines of the on course signals of the southeast leg of the Hartford, Conn., radio range and the southwest leg of the Boston, Mass., radio range.

12. By amending § 601.4014 *Amber civil airway No. 4 (Brownsville, Tex., to Bismarck, N. Dak.)* to read as follows:

§ 601.4014 *Amber civil airway No. 4 (Brownsville, Tex., to Minot, N. Dak.)* Brownsville, Tex., radio range station; Alice, Tex., radio range station; the Alamo radio range station, San Antonio, Tex., Spring Branch, Tex., fan type radio marker station or the intersection of the center lines of the on course signals of the north leg of the Alamo radio range, San Antonio, Tex., and the southwest leg of the Austin, Tex., radio range; Austin, Tex., radio range station; Waco, Tex., radio range station; the intersection of the center lines of the on course signals of the east leg of the Granbury, Tex., radio range and the south leg of the Fort Worth, Tex., radio range; Marietta, Tex., fan type radio marker station or the intersection of the center lines of the on course signals of the north leg of the Fort Worth, Tex., radio range and the south leg of the Oklahoma City, Okla., radio range; Oklahoma City, Okla., radio range station; Tulsa, Okla., radio range station; Chanute, Kans., radio range station; St. Joseph, Mo., radio range station; Sioux City, Iowa, radio range station; Sioux Falls, S. Dak., radio range station; Huron, S. Dak., radio range station.

13. By amending § 601.4017 to read as follows:

§ 601.4017 *Amber civil airway No. 7 (Key West, Fla., to Caribou, Maine)* Key West, Fla., radio range station; Miami, Fla., radio range station; Morrison Field, West Palm Beach, Fla., radio range station; Melbourne, Fla., radio range station; Daytona Beach, Fla., radio range station; Savannah, Ga., radio range station; Charleston, S. C., radio range station; Florence, S. C., radio range station; Raleigh, N. C., radio range station; Washington, D. C., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Washington, D. C., radio range and the west leg of the Baltimore, Md., radio range; Newark, N. J., radio range station; Portland, Maine, radio range station; Augusta, Maine, radio range station; Bangor, Maine, radio range station; Millinocket, Maine, radio range station; Presque Isle, Maine, radio range station.

14. By amending § 601.40201 to read as follows:

§ 601.40201 *Red civil airway No. 1 (Portland, Oreg., to Kansas City, Mo.)* Pendleton, Oreg., radio range station; Baker, Oreg., radio range station; Boise, Idaho, radio range station; Burley, Idaho, radio range station; Laramie, Wyo., radio

range station; Salina, Kans., radio range station.

15. By amending § 601.40206 *Red civil airway No. 6 (Sinclair Wyo., to Grand Island, Nebr.)* to read as follows:

§ 601.40206 *Red civil airway No. 6 (Las Vegas, Nev., to Grand Island, Nebr.)* St. George, Utah, VHF radio range station; Hanksville, Utah, VHF radio range station; Eagle, Colo., VHF radio range station; Akron, Colo., radio range station; Hayes Center, Nebr., radio range station.

16. By amending § 601.40213 to read as follows:

§ 601.40213 *Red civil airway No. 13 (Sunbury, Pa., to Boston, Mass.)* Wilkes-Barre, Pa., radio range station; Stewart Field, N. Y., radio range station; the intersection of the center lines of the on course signals of the southwest leg of the Boston, Mass., radio range and the west leg of the Providence, R. I., radio range, Providence, R. I., radio range station.

17. By amending § 601.40219 *Red civil airway No. 19 (Dayton, Ohio, to Grand Rapids, Mich.)* to read as follows:

§ 601.40219 *Red civil airway No. 19 (Washington, D. C., to Grand Rapids, Mich.)* Fort Wayne, Ind., radio range station.

18. By amending § 601.40233 *Red civil airway No. 33 (Gordonsville, Va., to Boston, Mass.)* to read as follows:

§ 601.40233 *Red civil airway No. 33 (Richmond, Va., to Boston, Mass.)* Arcola, Va., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Arcola, Va., radio range and the west leg of the Baltimore, Md., radio range.

19. By amending § 601.40237 *Red civil airway No. 37 (Texarkana, Ark., to Washington, D. C.)* to read as follows:

§ 601.20237 *Red civil airway No. 37 (Dallas, Tex., to Washington, D. C.)* Tyler, Tex., radio range station; Little Rock, Ark., radio range station.

20. By adding § 601.40260 to read as follows:

§ 601.40260 *Red civil airway No. 60 (Oakland, Calif., to Stockton, Calif.)* Stockton, Calif., radio range station.

21. By amending § 601.40304 to read as follows:

§ 601.40304 *Blue civil airway No. 4 (Boston, Mass., to U. S.-Canadian Border)* Burlington, Vt., radio range station; Concord, N. H., radio range station.

22. By amending § 601.40311 to read as follows:

§ 601.40311 *Blue civil airway No. 11 (Cleveland, Ohio, to Niagara Falls, N. Y.)* Erie, Pa., radio range station.

This amendment shall become effective 0001 e. s. t., March 15, 1947.

(Sec. 308, 52 Stat. 986, 54 Stat. 1233, 1235, 1236; 49 U. S. C. 458)

T. P. WRIGHT,
Administrator of Civil Aeronautics.
[F. R. Doc. 47-2329; Filed, Mar. 11, 1947;
8:46 a. m.]

[Amdt. 152]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, AIRPORT APPROACH ZONES, AIRPORT TRAFFIC ZONES AND RADIO FIXES

MISCELLANEOUS AMENDMENTS

It appearing that: (1) The increased volume of air traffic at certain points necessitates, in the interest of safety in air commerce, the immediate cancellation of airport approach zones and the establishment of airport traffic zones at such points; and (2) the cancellation of airport approach zones and the establishment of airport traffic zones referred to in (1) above, have been coordinated with the civil operators involved, the Army and the Navy through the Air Coordinating Committee, Airspace Subcommittee;

And finding that: The general notice of proposed rule making and public procedure provided for in section 4 (a) of the Administrative Procedure Act is impracticable and unnecessary.

Now, therefore, acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By deleting from § 601.2000 the following:

Albany, N. Y.. Albany Airport.
Allentown, Pa.. Allentown-Bethlehem Airport.
Altoona, Pa.. Altoona-Blair County Airport.
Augusta, Maine: Augusta Airport.
Baltimore, Md.. Baltimore Municipal Airport.
Bangor, Maine: Dow Field.
Blackstone, Va.. Blackstone A. A. F.
Buffalo, N. Y.. Buffalo Municipal Airport.
Burlington, Vt.. Burlington Airport.
Concord, N. H.. Concord Airport.
Elkins, W. Va.. Elkins Airport.
Erie, Pa.. Port Erie Airport.
Gordonsville, Va.. C. A. A. Int. Field.
Hartford, Conn.. Brainard Field.
Houlton, Maine: Houlton A. A. F.
Lynchburg, Va.. Preston Glenn Airport.
Martinsburg, W. Va.. Shepherd Airport.
Millinocket, Maine: Millinocket Airport.
Montpelier, Vt.. Barre-Montpelier Airport.
Newark, N. J.. Newark Airport.
Newburg, N. Y.. Stewart Field.
Phillipsburg, Pa.. Black Moshannon Airport.
Pittsburgh, Pa.. Pittsburgh-Allegheny County Airport.
Presque Isle, Maine: Presque Isle A. A. F.
Richmond, Va.. Richmond A. A. B.
Roanoke, Va.. Woodrum Field.
Rochester, N. Y.. Rochester Airport.
Syracuse, N. Y.. Syracuse Airport.
Utica, N. Y.. Utica Airport.
Westfield, Mass.. Barnes Airport.
Wilkes-Barre, Pa.. Wilkes-Barre Wyoming Valley Airport.
Williamsport, Pa.. Williamsport Airport.
Acoma, N. Mex.. C. A. A. Int. Field.
Columbus, N. Mex.. C. A. A. Int. Field.
El Morro, N. Mex.. C. A. A. Int. Field.
Gage, Okla.. Gage A. A. F.
Las Vegas, N. Mex.. Las Vegas Airport.
Little Rock, Ark.. Adams Field.
Monroe, La.. Selman Field.
Navasota, Tex.. C. A. A. Int. Field.
Otto, N. Mex.. C. A. A. Int. Field.
Rodeo, N. Mex.. C. A. A. Int. Field.
Salt Flat, Tex.. C. A. A. Int. Field.

San Antonio, Tex.. San Antonio Municipal Airport (Alamo Field).
 Texarkana, Ark.. Texarkana Municipal Airport.
 Tucumcari, N. Mex.. Tucumcari Airport.
 Waco, Tex.. Blackland A. A. F.
 Wichita Falls, Tex.. Sheppard Field (Kell Field).
 Wink, Tex.. Wink Airport.

2. By deleting § 601.200108 *Washington, D. C. Airport Approach Zone*.

3. By deleting from § 601.2002 the following:

Harrisburg, Pa.. Harrisburg State Airport.
 New York, N. Y.. LaGuardia Airport.
 Philadelphia, Pa.. Northeast Philadelphia Airport.
 Philadelphia, Pa.. Philadelphia Municipal Airport.
 Portland, Me.. Portland Airport.
 Providence, R. I.. Hills Grove A. A. F.
 Pulaski, Va.. Pulaski Municipal Airport (Loving Field).
 Akron, O.. Akron Airport.
 Abilene, Tex.. Abilene Air Terminal.
 Alice, Tex.. Alice Airport.
 Austin, Tex.. Robert Mueller Airport.
 Beaumont, Tex.. Jefferson County Airport.
 Corpus Christi, Tex.. Cliff Maus Airport.
 Galveston, Tex.. Galveston A. A. F.
 Lake Charles, La.. Lake Charles A. A. F.
 Laredo, Tex.. Laredo A. A. F.
 New Orleans, La.. Molsant Airport.
 Oklahoma City, Okla.. Will Rogers Field.
 Aberdeen, S. Dak.. Aberdeen Airport.
 Advance, Mo.. C. A. A. Int. Field.
 Burlington, Iowa.. Burlington Airport.
 Chanute, Kans.. Chanute Airport.
 Colorado Springs, Colo.. Peterson Field.
 Columbia, Mo.. Columbia Airport.
 Des Moines, Iowa.. Des Moines Airport.
 Fort Bridger, Wyo.. C. A. A. Int. Field.
 Garden City, Kans.. Garden City Airport.
 Grand Island, Nebr.. Grand Island Airport.
 Hayes Center, Nebr.. C. A. A. Int. Field.
 Huron, S. Dak.. W. W. Howes Airport.
 Hutchinson, Kans.. Hutchinson Airport.
 Joplin, Mo.. Joplin Airport.
 Kansas City, Mo.. Kansas City Municipal Airport.
 Kirksville, Mo.. Kirksville Airport.
 La Junta, Colo.. La Junta A. A. F.
 Lebo, Kans.. C. A. A. Int. Field.
 Laramie, Wyo.. General Brees Airport.
 North Platte, Nebr.. Lee Bird Field.
 Omaha, Nebr.. Omaha Municipal Airport.
 Pierre, S. Dak.. Pierre Airport.
 Pueblo, Colo.. Pueblo Airport.
 Rapid City, S. Dak.. Rapid City A. A. F.
 Rock Springs, Wyo.. Rock Springs Airport.
 St. Joseph, Mo.. Rosecrans Field.
 St. Louis, Mo.. Lambert-St. Louis Municipal Airport.
 Springfield, Mo.. Springfield-Green County Airport.
 Scottsbluff, Nebr.. Scottsbluff Airport.
 Sheridan, Wyo.. Sheridan County Airport.
 Sinclair, Wyo.. C. A. A. Int. Field.
 Sioux City, Iowa.. Sioux City Municipal Airport.
 Trinidad, Colo.. Trinidad Airport.
 Vichy, Mo.. Vichy Airport.
 Watertown, S. Dak.. Watertown Airport.
 Wichita, Kans.. Wichita Municipal Airport.
 Fort Wayne, Ind.. Smith Airport.

4. By deleting § 601.200303 *Boston, Mass.. Airport Approach Zone*.

5. By deleting § 601.200307 *Dallas, Tex.. Airport Approach Zone*.

6. By deleting § 601.200308 *Fort Worth, Tex.. Airport Approach Zone*.

7. By deleting § 601.200309 *Cheyenne, Wyo.. Airport Approach Zone*.

8. By deleting § 601.200315 *Denver Colo., Airport Approach Zone*.

9. By deleting § 601.200316 *Norfolk, Va., Airport Approach Zone*.

10. By deleting § 601.200331 *Albuquerque, N. Mex., Airport Approach Zone*.

11. By deleting § 601.200332 *Amarillo, Tex., Airport Approach Zone*.

12. By deleting § 601.200333 *Big Spring, Tex., Airport Approach Zone*.

13. By deleting § 601.200334 *El Paso, Tex., Airport Approach Zone*.

14. By deleting § 601.200335 *Houston, Tex., Airport Approach Zone*.

15. By deleting § 601.200336 *Shreveport, La., Airport Approach Zone*.

16. By deleting § 601.200337 *Tulsa, Okla., Airport Approach Zone*.

17. By deleting § 601.200338 *Brownsville, Tex., Airport Approach Zone*.

18. By deleting from § 601.3000 the following:

Abilene, Tex.. Abilene Air Terminal.
 Albany, N. Y.. Albany Airport.
 Albuquerque, N. Mex.. Kirtland Field.
 Alice, Tex.. Alice Airport.
 Amarillo, Tex.. English Field (Amarillo A.A.F.).
 Augusta, Maine: Augusta Airport.
 Austin, Tex.. Robert Mueller Airport.
 Baltimore, Md.. Baltimore A.A.F.
 Bangor, Maine: Dow Field.
 Big Spring, Tex.. Big Spring A.A.F.
 Boston, Mass.. Logan Airport.
 Brownsville, Tex.. Brownsville Airport.
 Buffalo, N. Y.. Buffalo Airport.
 Burlington, Vt.. Burlington Airport.
 Cheyenne, Wyo.. Cheyenne Airport.
 Concord, N. H.. Concord Airport.
 Denver, Colo.. Stapleton Air Field (Denver Airport).
 Des Moines, Iowa: Des Moines Airport.
 Dallas, Tex.. Love Field.
 El Paso, Tex.. El Paso Municipal Airport (Ed Anderson Field).
 Erie, Pa.. Port Erie Airport.
 Fort Worth, Tex.. Meacham Field.
 Galveston, Tex.. Galveston A. A. F.
 Harrisburg, Pa.. Harrisburg State Airport (New Cumberland N. A. F.).
 Hartford, Conn.. Brainard Field.
 Houlton, Maine: Houlton A. A. F.
 Houston, Tex.. Houston Airport.
 Hutchinson, Kans.. Hutchinson Outlying Field No. 1.
 Kansas City, Mo.. Kansas City Airport.
 Little Rock, Ark.. Adams Field.
 Lynchburg, Va.. Preston Glenn Airport.
 Millinocket, Maine: Millinocket Airport.
 Fort Wayne, Ind.. Smith Field.
 Newark, N. J.. Newark A. A. F.
 New York, N. Y.. LaGuardia Airport.
 Norfolk, Va.. Norfolk A. A. F.
 North Platte, Nebr.. Leo Bird Field.
 Oklahoma City, Okla.. Will Rogers Field.
 Omaha, Nebr.. Omaha Airport.
 Philadelphia, Pa.. Philadelphia Airport (Southwest).
 Pittsburgh, Pa.. Pittsburgh-Allegheny County Airport.
 Portland, Maine: Portland Airport.
 Presque Isle, Maine: Presque Isle A. A. F.
 Providence, R. I.. Hills Grove A. A. F.
 Pueblo, Colo: Pueblo Airport.
 Richmond, Va.. Richmond A. A. B.
 Rochester, N. Y.. Rochester Airport.
 Rock Springs, Wyo.. Rock Springs Airport.
 Rome, N. Y.. Rome A. A. F.
 St. Louis, Mo.. Lambert-St. Louis Airport.
 San Antonio, Tex.. San Antonio Airport (Alamo Field).
 Shreveport, La.. Shreveport Airport.
 Syracuse, N. Y.. Syracuse Airport.
 Tulsa, Okla.. Tulsa Airport-Tulsa A. A. F.
 Westfield, Mass.. Barnes Airport.
 Waco, Tex.. Blackland A. A. F.
 Washington, D. C.. Washington National Airport.
 Wichita, Kans.. Wichita Airport.
 Wichita Falls, Tex.. Sheppard (Kell) Field.

19. By adding in § 601.3000 *Airport traffic zones within three-mile radius* the following airports:

Allentown, Pa.. Allentown-Bethlehem Airport.
 Altos, Pa.. Altos-Elmer County Airport.
 Blackstone, Va.. Blackstone A. A. F.
 Gordonsville, Va.. C. A. A. Inter. Field.
 Philadelphia, Pa.. Philadelphia Northeast Airport.
 Wilkes-Barre, Pa.. Wilkes-Barre Municipal Airport.
 Williamsport, Pa.. Williamsport Municipal Airport.
 Acemita, N. Mex.. C. A. A. Inter. Field.
 Columbus, N. Mex.. C. A. A. Inter. Field.
 Corpus Christi, Tex.. Cliff Maus Airport.
 El Morro, N. Mex.. C. A. A. Inter. Field.
 Engle, N. Mex.. C. A. A. Inter. Field.
 Navasota, Tex.. C. A. A. Inter. Field.
 Palacios, Tex.. Palacios Airport.
 Rodeo, N. Mex.. C. A. A. Inter. Field.
 Aberdeen, S. Dak.. Aberdeen Airport.
 Chanute, Kans.. Municipal Airport.

20. By adding a new § 601.3001 *Airport traffic zones within a five mile radius* of the following airports:

§ 601.3001 *Airport traffic zones within a five mile radius*.

Bridgeport, Conn.. Bridgeport Municipal Airport.
 Elkins, W. Va.. Elkins Airport.
 Houlton, Maine: Houlton Airport.
 Lynchburg, Va.. Preston Glenn Airport.
 Martinsburg, W. Va.. Martinsburg Airport.
 Montpelier, Vt.. Barre-Montpelier Airport.
 Newburgh, N. Y.. Stewart A. A. F.
 New York, N. Y.. LaGuardia Field.
 Presque Isle, Maine: Presque Isle A. A. F.
 Pulaski, Va.. Loving Field.
 Roanoke, Va.. Woodrum Field.
 Rome, N. Y.. Rome A. A. F.
 Syracuse, N. Y.. Syracuse Municipal Airport.
 Westfield, Mass.. Barnes Airport.
 Abilene, Tex.. Abilene Air Terminal.
 Alice, Tex.. Alice Airport.
 Austin, Tex.. Robert Mueller Airport.
 Beaumont, Tex.. Jefferson County Airport.
 Gage, Okla.. Gage Airport.
 Lake Charles, La.. Lake Charles A. A. F.
 Las Vegas, N. Mex.. Las Vegas Airport.
 New Orleans, La.. Molsant Field.
 Oklahoma City, Okla.. Will Rogers Field.
 Otto, N. Mex.. C. A. A. Inter. Field.
 Salt Flat, Tex.. C. A. A. Inter. Field.
 San Antonio, Tex.. Alamo Field.
 Santa Fe, N. Mex.. Santa Fe Airport.
 Texarkana, Ark.. Texarkana Airport.
 Tucumcari, N. Mex.. Tucumcari Airport.
 Tyler, Tex.. Pounds Field.
 Waco, Tex.. Waco Municipal Airport.
 Wichita Falls, Tex.. Sheppard (Kell) Field.
 Wink, Tex.. Wink Airport.

21. By adding a new § 601.3002 as described herein:

§ 601.3002 *Airport traffic zones*.

§ 601.3002000 *Albany, N. Y., Airport Traffic Zone*. Within a 5 mile radius of the Albany Municipal Airport and within 2 miles either side of the north course of Albany Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002001 *Augusta, Maine, Airport Traffic Zone*. Within a 5 mile radius of the Augusta State Airport and within 2 miles either side of the southwest course of Augusta Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002002 *Baltimore, Md., Airport Traffic Zone*. Within a 5 mile radius of the Baltimore Municipal Airport and

within 2 miles either side of the south course of Baltimore Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002003 *Bangor Maine, Airport Traffic Zone.* Within a 5 mile radius of Dow Field and within 2 miles either side of the northwest course of Bangor Radio Range extending to the East Cornth Fan Marker.

§ 601.3002004 *Boston, Mass., Airport Traffic Zone.* Within a 5 mile radius of Logan International Airport, within 2 miles either side of the north course of Boston Radio Range extending to the Peabody Fan Marker and within 2 miles either side of the southwest course of Boston Radio Range extending to the Franklin Fan Marker.

§ 601.3002005 *Buffalo, N. Y., Airport Traffic Zone.* Within a 5 mile radius of the Buffalo Municipal Airport and within 2 miles either side of the northeast course of Buffalo Radio Range extending to the Wolcottville Fan Marker.

§ 601.3002006 *Burlington, Vt., Airport Traffic Zone.* Within a 5 mile radius of the Burlington Municipal Airport and within 2 miles either side of the northwest course of Burlington Radio Range extending to the Grand Isle Fan Marker.

§ 601.3002007 *Concord, N. H., Airport Traffic Zone.* Within a 5 mile radius of the Concord Municipal Airport and within 2 miles either side of the southeast course of Concord Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002008 *Erie, Pa., Airport Traffic Zone.* Within a 5 mile radius of Port Erie Airport and within 2 miles either side of the southwest course of Erie Radio Range extending to the North Springfield Fan Marker.

§ 601.3002009 *Harrisburg, Pa., Airport Traffic Zone.* Within a 5 mile radius of Harrisburg State Airport and within 2 miles either side of the east and west courses of Harrisburg Radio Range extending 10 miles east and west of the Radio Range Station.

§ 601.3002010 *Hartford, Conn., Airport Traffic Zone.* Within a 5 mile radius of Brainard Field and within 2 miles either side of the southeast course of Hartford Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002011 *Millinocket, Maine, Airport Traffic Zone.* Within a 5 mile radius of Millinocket Municipal Airport and within 2 miles either side of the east course of Millinocket Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002012 *Newark, N. J., Airport Traffic Zone.* Within a 5 mile radius of Newark Municipal Airport and within 2 miles either side of the southwest course of Newark Radio Range extending to the Metuchen Fan Marker.

§ 601.3002013 *Norfolk, Va., Airport Traffic Zone.* Within a 5 mile radius of Norfolk Municipal Airport and within 2 miles either side of the southwest course

of Norfolk Radio Range extending to the Deep Creek Fan Marker.

§ 601.3002014 *Philadelphia, Pa., Airport Traffic Zone.* Within a 5 mile radius of Philadelphia Southwest Airport and within 2 miles either side of the west course of Philadelphia Radio Range extending to the Boothwyn Fan Marker.

§ 601.3002015 *Philipsburg, Pa., Airport Traffic Zone.* Within a 5 mile radius of the Philipsburg State Airport and within 2 miles either side of the north course of Philipsburg Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002016 *Pittsburgh, Pa., Airport Traffic Zone.* Within a 5 mile radius of the Allegheny County Airport and within 2 miles either side of the west course of Pittsburgh Radio Range extending to the Cecil Fan Marker.

§ 601.3002017 *Portland, Maine, Airport Traffic Zone.* Within a 5 mile radius of Portland Municipal Airport and within 2 miles either side of the northwest course of Portland Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002018 *Providence, R. I., Airport Traffic Zone.* Within a 5 mile radius of the Theodore Francis Greene Airport (excluding area which would intercept Danger Area in vicinity of Ohio Ledge—Gull Point, R. I.) and within 2 miles either side of the southwest course of Providence Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002019 *Richmond, Va., Airport Traffic Zone.* Within a 5 mile radius of the Richmond Municipal Airport and within 2 miles either side of the southwest course of Richmond Radio Range extending to the Chester Fan Marker.

§ 601.3002020 *Rochester, N. Y., Airport Traffic Zone.* Within a 5 mile radius of the Rochester Municipal Airport and within 2 miles either side of the east course of Rochester Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002021 *Washington, D. C., Airport Traffic Zone.* Within a 5 mile radius of Washington National Airport (excluding that portion which would lie within the Airspace Reservation established by Executive Order #3950 as amended by Executive Order #9153) and within 2 miles either side of the southwest course of Washington Radio Range extending to the Doncaster Fan Marker.

§ 601.3002022 *Albuquerque, N. Mex., Airport Traffic Zone.* Within a 5 mile radius of Kirtland Field and within 2 miles either side of the south course of Albuquerque Radio Range extending to the Peralta Fan Marker.

§ 601.3002023 *Amarillo, Tex., Airport Traffic Zone.* Within a 5 mile radius of English Field and within 2 miles either side of the west course of Amarillo Radio Range extending to the Soncy Fan Marker.

§ 601.3002024 *Big Spring, Tex., Airport Traffic Zone.* Within a 5 mile radius of Big Spring Airport and within 2 miles either side of the west course of Big

Spring Radio Range extending to the Stanton Fan Marker.

§ 601.3002025 *Brownsville, Tex., Airport Traffic Zone.* Within a 5 mile radius of Brownsville International Airport (excepting that portion of such circle which lies within Mexico) and within two miles either side of the northwest course of Brownsville Radio Range extending to the Los Fresnos Fan Marker.

§ 601.3002026 *Dallas, Tex., Airport Traffic Zone.* Within a 5 mile radius of Love Field, within 2 miles either side of the south course of Dallas Radio Range extending to the Duncanville Fan Marker, and within two miles either side of the north course of Dallas Radio Range extending to the Dallas Intersection (intersection of the north course of Dallas Radio Range and the northeast course of Fort Worth Radio Range)

§ 601.3002027 *El Paso, Tex., Airport Traffic Zone.* Within a 5 mile radius of El Paso Municipal Airport and within 2 miles either side of the east course of El Paso Radio Range extending to the Hueco Mountain Fan Marker.

§ 601.3002028 *Fort Worth, Tex., Airport Traffic Zone.* Within a 5 mile radius of Meacham Field and within 2 miles either side of the north course of Fort Worth Radio Range extending to the Haslet Fan Marker.

§ 601.3002029 *Galveston, Tex., Airport Traffic Zone.* Within a 5 mile radius of Galveston Airport and within 2 miles either side of the northwest course of Galveston Radio Range extending 3 miles northwest of the Radio Range Station.

§ 601.3002030 *Houston, Tex., Airport Traffic Zone.* Within a 5 mile radius of Houston Municipal Airport and within 2 miles either side of the southeast course of Houston Radio Range extending to the Webster Fan Marker.

§ 601.3002031 *Laredo, Tex., Airport Traffic Zone.* Within a 5 mile radius of Laredo A. A. F Airport and within 2 miles either side of the northwest course of Laredo Radio Range extending 3 miles northwest of the Radio Range Station excepting that portion of such zone that would lie within Mexico.

§ 601.3002032 *Little Rock, Ark., Airport Traffic Zone.* Within a 5 mile radius of Adams Field and within 2 miles either side of the southeast course of Little Rock Radio Range extending 3 miles southeast of the Radio Range Station.

§ 601.3002033 *Monroe, La., Airport Traffic Zone.* Within a 5 mile radius of Selman Field and within 2 miles either side of the southwest course of Monroe Radio Range extending 4 miles southwest of the Radio Range Station.

§ 601.3002034 *New Orleans, La., Airport Traffic Zone.* Within a 5 mile radius of Moisant International Airport, within 2 miles either side of the west course of New Orleans Radio Range extending to the La Place Fan Marker and within 2 miles either side of the east course of New Orleans Radio Range extending to the boundary of the New Orleans Airport Traffic Zone.

§ 601.3002035 *Ponca City, Okla., Airport Traffic Zone.* Within a 10 mile radius of Ponca City Airport.

§ 601.3002036 *San Angelo, Tex., Airport Traffic Zone.* Within a 10 mile radius of Mathus Field (San Angelo A. A. F.).

§ 601.3002037 *Shreveport, La., Airport Traffic Zone.* Within a 5 mile radius of Shreveport Municipal Airport and within 5 miles either side of the northwest course of Shreveport Radio Range extending to the Dixie Fan Marker.

§ 601.3002038 *Tulsa, Okla., Airport Traffic Zone.* Within a 5 mile radius of Tulsa Airport, within 2 miles either side of the northeast course of Tulsa Radio Range extending to the Verdigris River Fan Marker, within 2 miles either side of the northwest course of Tulsa Radio Range extending to the Skiatook Fan Marker and within 2 miles either side of the southwest course of Tulsa Radio Range extending to the Red Fork Fan Marker.

§ 601.3002039 *Advance, Mo., Airport Traffic Zone.* Within a 3 mile radius of the center of the C. A. A. Inter. Field and within 2 miles either side of the centerline of the south course of Advance Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002040 *Akron, Colo., Airport Traffic Zone.* Within a 3 mile radius of the C. A. A. Inter. Field and within 2 miles either side of the centerline of the north and south courses of Akron Radio Range extending 10 miles north of the Radio Range Station.

§ 601.3002041 *Burlington, Iowa, Airport Traffic Zone.* Within a 5 mile radius of Burlington Municipal Airport and within 2 miles either side of the centerline of the south course of Burlington Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002042 *Casper Wyo., Airport Traffic Zone.* Within a 5 mile radius of Wardwell Field and within 2 miles either side of the centerline of the east course of Casper Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002043 *Cheyenne, Wyo., Airport Traffic Zone.* Within a 5 mile radius of Cheyenne Municipal Airport, within 2 miles either side of the centerline of the west course of Cheyenne Radio Range extending to the Silver Crown Fan Marker and within 2 miles either side of the centerline of the east course of Cheyenne Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002044 *Colorado Springs, Colo., Airport Traffic Zone.* Within a 5 mile radius of Peterson A. A. F. Airport and within 2 miles either side of the centerline of the north course of Colorado Springs Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002045 *Columbia, Mo., Airport Traffic Zone.* Within a 5 mile radius of Columbia Municipal Airport and within 2 miles either side of the centerline of the west course of Columbia Radio Range

extending 10 miles from the Radio Range Station.

§ 601.3002046 *Denver, Colo., Airport Traffic Zone.* Within a 5 mile radius of Stapleton Field, within 2 miles either side of the centerline of the north course of Denver Radio Range extending to the Henderson Fan Marker and within 2 miles either side of the centerline of the south course of Denver Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002047 *Des Moines, Iowa, Airport Traffic Zone.* Within a 5 mile radius of Des Moines Municipal Airport and within 2 miles either side of the centerline of the south course of Des Moines Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002048 *Fort Bridger Wyo., Airport Traffic Zone.* Within a 3 mile radius of the C. A. A. Inter. Field and within 2 miles either side of the centerline of the east course of Fort Bridger Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002049 *Garden City, Kans., Airport Traffic Zone.* Within a 5 mile radius of Garden City Municipal Airport and within 2 miles either side of the centerline of the north course of Garden City Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002050 *Grand Island, Nebr., Airport Traffic Zone.* Within a 5 mile radius of the Grand Island A. A. F. Airport and within 2 miles either side of the centerline of the north course of Grand Island Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002051 *Hayes Center, Nebr., Airport Traffic Zone.* Within a 3 mile radius of the C. A. A. Inter. Field and within 2 miles either side of the centerline of the west course of Hayes Center Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002052 *Huron, S. Dak., Airport Traffic Zone.* Within a 5 mile radius of the Huron Municipal Airport and within 2 miles either side of the centerline of the southwest course of Huron Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002053 *Hutchinson, Kans., Airport Traffic Zone.* Within a 5 mile radius of the Hutchinson Municipal Airport and within 2 miles either side of the centerline of the south course of Hutchinson Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002054 *Joplin, Mo., Airport Traffic Zone.* Within a 5 mile radius of the Joplin Municipal Airport and within 2 miles either side of the centerline of the north and south courses of Joplin Radio Range extending 10 miles north of the Radio Range Station.

§ 601.3002055 *Kansas City, Mo., Airport Traffic Zone.* Within a 5 mile radius of Kansas City Municipal Airport, within 2 miles either side of the centerline of the north course of Kansas City Radio Range extending to the Linkville

Fan Marker and within 2 miles either side of the localizer course (351° outbound) of the Instrument Low Approach System extending 10 miles north of the airport.

§ 601.3002056 *Kirkville, Mo., Airport Traffic Zone.* Within a 3 mile radius of the Kirkville Municipal Airport and within 2 miles either side of the centerline of the southeast course of Kirkville Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002057 *La Junta, Colo., Airport Traffic Zone.* Within a 5 mile radius of the La Junta A. A. F. Airport and within 2 miles either side of the centerline of the northeast course of La Junta Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002058 *Laramie, Wyo., Airport Traffic Zone.* Within a 5 mile radius of General Brees Field and within 2 miles either side of the centerline of the northwest course of Laramie Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002059 *Lebo, Kans., Airport Traffic Zone.* Within a 3 mile radius of the C. A. A. Inter. Field and within 2 miles either side of the centerline of the southeast course of Lebo Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002060 *Lincoln Nebr., Airport Traffic Zone.* Within a 5 mile radius of the Lincoln Municipal Airport and within 2 miles either side of the centerline of the north course of Lincoln Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002061 *Mason City, Iowa, Airport Traffic Zone.* Within a 3 mile radius of the Mason City Municipal Airport and within 2 miles either side of a line 189° true from Mason City Non-directional Radio beacon extending 10 miles from the Radio beacon.

§ 601.3002062 *North Platte, Nebr., Airport Traffic Zone.* Within a 5 mile radius of Lee Bird Field and within 2 miles either side of the centerline of the south course of North Platte Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002063 *Omaha, Nebr., Airport Traffic Zone.* Within a 5 mile radius of Omaha Municipal Airport and within 2 miles either side of the centerline of the north course of Omaha Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002064 *Pierre, S. Dak., Airport Traffic Zone.* Within a 5 mile radius of the Pierre A. A. F. Airport and within 2 miles either side of the centerline of the east course of Pierre Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002065 *Pueblo, Colo., Airport Traffic Zone.* Within a 5 mile radius of the Pueblo Municipal Airport and within 2 miles either side of the centerline of the southeast course of Pueblo Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002066 *Rapid City, S. Dak., Airport Traffic Zone.* Within a 5 mile radius of the Rapid City A. A. F. Airport and within 2 miles either side of the centerline of the south and north courses of Rapid City Radio Range extending 10 miles south of the Radio Range Station.

§ 601.3002067 *Rock Springs, Wyo., Airport Traffic Zone.* Within a 5 mile radius of the Rock Springs Municipal Airport and within 2 miles either side of the centerline of the east course of Rock Springs Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002068 *St. Joseph, Mo., Airport Traffic Zone.* Within a 5 mile radius of Rosecrans Field and within 2 miles either side of the south course of St. Joseph Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002069 *St. Louis, Mo., Airport Traffic Zone.* Within a 5 mile radius of the Lambert-St. Louis Municipal Airport and within 2 miles either side of the centerline of the east course of St. Louis Radio Range extending to the Spanish Lake Fan Marker.

§ 601.3002070 *Scottsbluff, Nebr., Airport Traffic Zone.* Within a 3 mile radius of Scottsbluff Municipal Airport and within 2 miles either side of the centerline of the southeast and northwest courses of Scottsbluff Radio Range extending 10 miles southeast of the Radio Range Station.

§ 601.3002071 *Sheridan, Wyo., Airport Traffic Zone.* Within a 5 mile radius of the Sheridan Municipal Airport and within 2 miles either side of the centerline of the southeast course of Sheridan Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002072 *Sinclair Wyo., Airport Traffic Zone.* Within a 3 mile radius of the C. A. A. Inter. Field and within 2 miles either side of the centerline of the west course of Sinclair Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002073 *Sioux City, Iowa, Airport Traffic Zone.* Within a 5 mile radius of Sioux City Municipal Airport and within 2 miles either side of the centerline of the south course of Sioux City Radio Range extending to the Sloan Fan Marker.

§ 601.3002074 *Springfield, Mo., Airport Traffic Zone.* Within a 5 mile radius of Springfield Municipal Airport and within 2 miles either side of the centerline of the southeast course of Springfield Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002075 *Topeka, Kans., Airport Traffic Zone.* Within a 5 mile radius of Phillip Billard Airport and within the confines of Red Civil Airway No. 1 extending 10 miles east and west of the airport.

§ 601.3002076 *Trinidad, Colo., Airport Traffic Zone.* Within a 3 mile radius of Trinidad Municipal Airport and within 2 miles either side of the centerline of the north course of Trinidad Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002077 *Vichy, Mo., Airport Traffic Zone.* Within a 3 mile radius of Vichy Municipal Airport and within 2 miles either side of the centerline of the southeast and northwest courses of Vichy Radio Range extending 10 miles southeast of the Radio Range Station.

§ 601.3002078 *Watertown, S. Dak., Airport Traffic Zone.* Within a 5 mile radius of the Watertown A. A. F. Airport, and within 2 miles either side of the centerline of the east course of Watertown Radio Range extending 10 miles from the Radio Range Station.

§ 601.3002079 *Wichita, Kans., Airport Traffic Zone.* Within a 5 mile radius of Wichita Municipal Airport, within 2 miles either side of the centerline of the north course of Wichita Radio Range extending to the Kechi Fan Marker and within 2 miles either side of the localizer course (192° inbound) of the Instrument Low Approach System extending 10 miles south of the airport.

This amendment shall become effective 0001 e. s. t., March 15, 1947.

(Sec. 308, 52 Stat. 986, 54 Stat. 1233, 1235, 1236; 49 U. S. C. 458)

T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 47-2328; Filed, Mar. 11, 1947; 8:46 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 51641]

PART 6—AIR COMMERCE REGULATIONS

REDESIGNATION OF PRESQUE ISLE AIR BASE, PRESQUE ISLE, MAINE, AS AIRPORT OF ENTRY

MARCH 4, 1947.

The Presque Isle Air Base, Presque Isle, Maine, is hereby designated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (44 Stat. 573; 49 U. S. C. 179 (b)), for a period of 1 year from February 20, 1947.

The list of temporary airports of entry in § 6.13 *List of temporary airports of entry*, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13) as amended, is hereby further amended by changing the date of designation opposite the name of this airport to "February 20, 1947."

Notice of the proposed redesignation of this airport as an airport of entry was published in the FEDERAL REGISTER on January 31, 1947 (12 F. R. 754). The redesignation shall be effective on February 20, 1947, the delayed effective date requirements of section 4 (c) of the Administrative Procedure Act (Public Law 404, 79th Congress) being dispensed with because the previous designation expires prior to the expiration of 30 days after the publication of this redesignation. The redesignation of this airport is based on a determination that a sufficient need exists to justify such redesignation and the redesignation is for the purpose of

providing for convenient compliance with customs requirements.

(Sec. 7 (b) 44 Stat. 572, sec. 611, 58 Stat. 714; 49 U. S. C., Sup., 177 (b))

[SEAL] JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 47-2310; Filed, Mar. 11, 1947; 8:45 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VI—Federal Public Housing Authority

PART 603—FINAL DELEGATIONS OF AUTHORITY

DELEGATIONS TO CENTRAL AND REGIONAL OFFICE OFFICIALS

1. Section 603.1 (11 F. R. 177A-900) is hereby amended, effective upon publication in the FEDERAL REGISTER, by adding paragraph (u) thereto, as follows:

§ 603.1 *Delegations to Central Office officials.* * * *

(u) *Acting officials.* Such persons as are designated to serve in an acting capacity for Central Office officials of the FPFA whenever they are from time to time absent from duty, are authorized to exercise all the powers, duties and functions, while so acting, that are vested by this section in the officials for whom they act.

2. Section 603.2 (11 F. R. 177A-901) is hereby amended, effective upon publication in the FEDERAL REGISTER, by adding paragraph (n) thereto, as follows:

§ 603.2 *Delegations to Regional Office officials.* * * *

(n) *Acting officials.* Such persons as are designated to serve in an acting capacity for Regional Office officials of the FPFA whenever they are from time to time absent from duty, are authorized to exercise all the powers, duties and functions, while so acting, that are vested by this section in the officials for whom they act.

(E. O. 9070, Feb. 24, 1942, 3 CFR Cum. Supp.)

Approved: March 4, 1947.

[SEAL] D. S. MYER,
Commissioner

[F. R. Doc. 47-2336; Filed, Mar. 11, 1947; 8:47 a. m.]

Chapter VIII—Office of Housing Expediter

[Housing Expediter Premium Payments
Reg. 4, Amdt. 2]

PART 805—PREMIUM PAYMENTS REGULA- TIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

STANDING TIMBER ON STATE OWNED LANDS

Section 805.4 (Housing Expediter Premium Payments Regulation No. 4) is amended as follows:

By deleting paragraph (1) and substituting therefor a new paragraph reading as follows:

(i) *Termination.* This section shall terminate on March 31, 1947. Termination of this section shall not preclude the filing of claims for payment during the month following such termination on account of obligations incurred in employing additional facilities during the immediately preceding month. Such claims shall be dealt with in accordance with the provisions of this section in the same manner as if it had not been terminated.

Issued and effective this 11th day of March 1947.

FRANK R. CREEDON,
Housing Expediter

[F. R. Doc. 47-2389; Filed, Mar. 11, 1947;
10:43 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XV—Board of War Communications

[Order 38]

REVOCATION OF DESIGNATED ORDERS

Whereas, The Board of War Communications has at various times issued orders deemed by the Board to be necessary to the national security and defense and the successful conduct of the war; and

Whereas, In the light of present conditions it appears that such orders and directives of the Board as are still in effect, including Orders 20-B, dated July 2, 1946, and 27-D, dated March 28, 1946, are under present conditions no longer required for such purposes;

Now, therefore, *It is hereby ordered*, That all orders and directives of the Board of War Communications which are still in effect, including Orders No. 20-B, dated July 2, 1946, and 27-D, dated March 28, 1946, be, and the same are hereby, cancelled, effective the date of this order.

BOARD OF WAR COMMUNICATIONS,
CHARLES R. DENNY,
Chairman.

D. E. MCKAY,
*Assistant Secretary,
Captain, U. S. Coast Guard.*

FEBRUARY 24, 1947.

[F. R. Doc. 47-2326; Filed, Mar. 11, 1947;
8:45 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service, Department of Interior

PART 2—GENERAL RULES AND REGULATIONS PERMITS AND FEES

1. Paragraph (h) of § 2.40 *Permits*, is rescinded.

2. Paragraph (l) of § 2.55 *Fees*, is amended to read as follows:

(l) *Exemptions.* (1) No fee shall be charged residents of Coconino County, Arizona, or Kanab, Utah, entering Grand Canyon National Park, or residents of Washington and Kane Counties, Utah, or residents of that part of Coconino County, Arizona, lying north and west of the Colorado River, entering Zion National Park, or residents of Garfield and

No. 50—3

Kane Counties, Utah, entering Bryce Canyon National Park, in the conduct of their usual occupation or business.

(2) The fees relating to Squola and Kings Canyon National Parks, prescribed in paragraph (k) of this section, shall not be collected in cases where such a collection would interfere with the movement of stock and vehicular traffic without charge to and from national forest lands on either side of the lands added to the General Grant Grove section of Kings Canyon National Park pursuant to Proclamation No. 2411 of June 21, 1940 (54 Stat. 2710) issued pursuant to the act of March 4, 1940 (54 Stat. 41, 16 U. S. C. 80a)

(Sec. 3, 39 Stat. 535; 13 U. S. C. 3.)

Issued this 25th day of February 1947.

[SEAL] OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

[F. R. Doc. 47-2290; Filed, Mar. 11, 1947;
8:45 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

PART 162—LIST OF ORDERS CREATING AND MODIFYING GRAZING DISTRICTS

COLORADO, IDAHO, NEW MEXICO, OREGON, AND UTAH

CROSS REFERENCE: For additions to the tabulation contained in § 162.1, see the following documents in the Notices section under Department of the Interior, Bureau of Land Management, *infra*. These documents affect lands in grazing districts in the States listed.

	Misc. No.
Colorado	2055623
Idaho	1904426
	2074252
New Mexico	2073331
	2073856
	2114052
	2114214
	2114215
Oregon	2085053
	2114213
	2114217
	2118203
Utah	2073323
	2073855
	2112863

[Circular 1636]

PART 161—THE FEDERAL RANGE CODE FOR GRAZING DISTRICTS

REGULAR LICENSES AND PERMITS

The following is added as a note to § 161.8 (b)

§ 161.8 *Fees; time of payment; refunds.* * * *

(b) *Regular licenses and permits.* * * *

NOTE: In accordance with the provisions of § 161.8 (b) of the Federal Range Code for Grazing Districts (Circular 1630, December 11, 1946, 11 F. R. 14490), notice is hereby given that effective May 1, 1947, a grazing fee of eight cents per head for cattle and horses and one and three-fifths cents per

head for sheep and goats will be charged each regular license or permittee for each month of the grazing period covered by the licenses or permit: *Provided*, That the increased rates will not apply where licenses and fee notices have been issued prior to the date of the publication of this notice in the *FEDERAL REGISTER*. In such instances, the rate of five cents an animal unit month will apply until the next license or fee notice is issued.

This notice will not prevent the fixing of a different fee in appropriate cases, in accordance with the proviso to § 161.8 (b) of the Federal Range Code for Grazing Districts.

(Sec. 2, 48 Stat. 1270; 43 U. S. C. 315a)

FRED W. JOHNSON,
Director.

Approved: March 3, 1947.

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

[F. R. Doc. 47-2273; Filed, Mar. 11, 1947;
8:45 a. m.]

[Circular 1637]

PART 240—PUBLIC LAND RECORDS

FEES FOR COPIES MADE BY BUREAU OF LAND MANAGEMENT; REMITTANCES AND FORMS

Section 240.4 (c) contained in Circular 504 (b) approved January 27, 1941, is amended to read as follows:

§ 240.4 *Fees for copies made by the Bureau of Land Management; remittances and forms thereof.* * * *

(c) For tracings, a sum equal to the cost of production thereof. Blue prints 30 cents per square yard.

(R. S. 453, 2478; 43 U. S. C. 2, 1201)

FRED W. JOHNSON,
Acting Director.

Approved: February 27, 1947.

WARNER W. GARDNER,
Assistant Secretary of the Interior.

[F. R. Doc. 47-2274; Filed, Mar. 11, 1947;
8:45 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

[CGFR-47-10]

AMENDMENTS TO REGULATIONS

Correction

In Federal Register Document 47-2103, appearing at page 1549 of the issue for Friday, March 7, 1947, the final subchapter, immediately preceding Part 155, should be designated Subchapter O.

Chapter II—United States Maritime Commission

PART 306—GENERAL AGENTS AND AGENTS

[G. O. 56, Supp. 3]

COMPENSATION PAYABLE TO GENERAL AGENTS, AGENTS AND BERTH AGENTS

1. Section 306.172 *Compensation of General Agents and Agents*, is amended,

effective as of January 1, 1946, by striking out paragraphs (e) and (f) and inserting in lieu thereof the following paragraphs:

(e) When a vessel enters an inactive period (see § 306.200 (w) for definition of "inactive vessel") the compensation provided in paragraphs (a) (b) and (c) of this section shall terminate as of the date and time the vessel started such inactive period, and in lieu thereof, until such vessel again enters active service:

(1) Each General Agent shall be paid for husbanding the vessel, acting as accounting line, and performing related services—\$45.00 per day per vessel, and

(2) Each Agent shall be paid for acting as accounting line and performing related services—\$50.00 per month per vessel, or pro rata for any portion thereof.

(f) Upon the redelivery or total loss or constructive total loss of a vessel allocated to a General Agent or Agent under a service agreement, the compensation provided in this section shall terminate.

(g) In determining the compensation provided in this section, part days shall be counted as whole days.

2. Section 306.173 *Compensation for port services in continental United States* is amended as follows:

a. Subparagraph (2) of paragraph (a) is amended, effective as of July 1, 1946, and until September 1, 1946, to read:

(2) *Cargoes*—(i) *Intercoastal trade*—(a) *General cargo, ad valorem cargo, and mail.* 6% of vessel's revenue outward; 2% of vessel's revenue inward.

(b) *Bulk cargo.* 6¢ per manifest ton outward or inward.

(ii) *Other domestic trades*—(a) *General cargo, ad valorem cargo, and mail.* 7% of vessel's revenue outward, 3% of vessel's revenue inward.

(b) *Bulk cargo.* 6¢ per manifest ton outward or inward, except for coastwise bulk cargo for which compensation shall be 6¢ per manifest ton loaded and discharged (one fee for both operations)

b. Said subparagraph (2) is further amended, effective as of September 1, 1946, to read:

(2) *Cargoes*—(i) *Intercoastal trade*—(a) *General cargo, ad valorem cargo, and mail.* 6% of vessel's revenue outward; 2% of vessel's revenue inward.

(b) *Bulk cargo.* 6¢ per manifest ton outward or inward.

(ii) *United States, Puerto Rico, and Atlantic-Gulf coastwise trades*—(a) *General cargo, ad valorem cargo, and mail.* 7% of vessel's revenue outward; 3% of vessel's revenue inward.

(b) *Bulk cargo.* 6¢ per manifest ton outward or inward, except for coastwise bulk cargo for which compensation shall be 6¢ per manifest ton loaded and discharged (one fee for both operations)

(iii) *Pacific coastwise trade.* (a) *General cargo, ad valorem cargo, and mail.* 6% of vessel's revenue outward; 2% of vessel's revenue inward.

(b) *Bulk cargo.* 6¢ per manifest ton loaded and discharge (one fee for both operations).

c. Subparagraph (2) of paragraph (b) is amended, effective as of July 1, 1946, to read:

(2) *Cargoes*—(i) *General cargo, ad valorem cargo, and mail.* 5% of vessel's revenue outward; 2½% of vessel's revenue inward.

(ii) *Bulk cargo.* 1½% of vessel's revenue outward or inward.

3. Section 306.175 *Compensation of sub-agents at ports outside of the continental United States* is amended as follows:

a. Paragraph (d) is amended, effective as of January 1, 1946, to read:

(d) *Passengers* (see § 306.200 for definition)

(1) *Commercial passengers.* 5% of vessel's revenue for each passenger embarked; 2% of vessel's revenue for each passenger disembarked.

(2) *Military personnel.* \$2.00 for each person embarked, maximum \$500.00; \$1.00 for each person disembarked, maximum \$250.00.

b. Effective as of July 1, 1946, paragraph (d) (2) is revoked.

c. Paragraph (e) is amended, effective as of July 1, 1946, to read:

(e) *Miscellaneous.* If the maximum compensation provided in this section for a port of call amounts to less than \$50.00, the sub-agent or branch house may be paid the commercial rate but not in excess of \$50.00 for services rendered during such call. Vessels calling for orders, ballast, fuel, and/or to load or discharge cargo transported on a per diem basis—\$50.00.

4. Section 306.181 *Compensation of General Agents and Agents* is amended, effective as of January 1, 1946, by striking out paragraphs (e) and (f) and inserting in lieu thereof the following paragraphs.

(e) When a vessel enters an inactive period (see § 306.200 (w) for definition of "inactive vessel") the compensation provided in paragraphs (a) (b), and (d) of this section shall terminate as of the date and time the vessel started such inactive period, and in lieu thereof, until such vessel again enters active service:

(1) Each General Agent shall be paid for husbanding the vessel, acting as accounting line, and performing related services—\$45.00 per day per vessel, and

(2) Each Agent shall be paid for acting as accounting line and performing related services—\$50.00 per month per vessel, or pro rata for any portion thereof.

(f) Upon the redelivery or total loss or constructive total loss of a vessel allocated to a General Agent or Agent under a service agreement, the compensation provided in this section shall terminate.

(g) In determining the compensation provided in this section, part days shall be counted as whole days.

5. Section 306.182 *Compensation for port services in continental United States and for services incident to way cargo, passengers, and mail* is amended, effective as of January 1, 1946, by revoking paragraph (b)

6. Section 306.183 is amended, effective as of January 1, 1946, to read:

§ 306.183 *Compensation of sub-agents at ports outside of the continental United States.* (a) Except where a schedule of fees has been approved by the United States Maritime Commission, as compensation for services rendered for the United States, the foreign sub-agent or branch house shall be paid for account of the United States the prevailing commercial rate, but in no event in excess of:

(1) *Where vessel loads or discharges liquid cargo.* \$125.00 per port call.

(2) *Where no cargo activity takes place, vessel calls for orders, bunkers, etc.* \$50.00 per port call.

(b) As compensation for services rendered by sub-agents or branch houses outside of the continental United States in connection with passengers, dry cargo, or mail, the General Agent or Agent may pay for account of the United States, the prevailing commercial rates for such services, but in no event in excess of the maximum rates set forth in § 306.175 for comparable services in connection with dry cargo vessels.

7. Section 306.186 *Compensation of General Agents* is amended, effective as of January 1, 1946, as follows:

a. Paragraph (a) is amended to read:

(a) Each General Agent shall be paid for husbanding the vessel, acting as accounting line, and performing related services, on the following basis:

	Per day per vessel
Vessels of less than 4,500 G. R. T.-----	\$65
Vessels of 4,500 but less than 8,000 G. R. T.-----	100
Vessels of 8,000 but less than 11,000 G. R. T.-----	150
Vessels of 11,000 but less than 14,000 G. R. T.-----	200
Vessels of 14,000 but less than 17,000 G. R. T.-----	250
Vessels of 17,000 G. R. T. or over-----	300

b. Paragraphs (d) and (e) are stricken out and the following paragraphs inserted in lieu thereof:

(d) When a passenger vessel allocated to a General Agent pursuant to a service agreement becomes inactive (see § 306.200 (w) for definition of "inactive vessel") the compensation provided in paragraphs (a) and (b) of this section shall terminate as of the date and time the vessel became inactive and, in lieu thereof, the General Agent shall be paid for husbanding the vessel, acting as accounting line, and performing related services, a daily fee equal to seventy-five percent (75%) of the rate of compensation provided for the appropriate class of vessel in paragraph (a) of this section. Such reduced basis of compensation shall be paid until the vessel again enters active service.

(e) Upon the redelivery or total loss or constructive total loss of a vessel allocated to a General Agent under a service agreement, the compensation provided in this section shall terminate.

(f) In determining the compensation provided in this section, part days shall be counted as whole days.

8. Section 306.191 *Compensation of General Agents and Agents* is amended, effective as of January 1, 1946, by striking out paragraph (e) and inserting in lieu thereof the following paragraphs:

(e) When a vessel enters an inactive period (see § 306.200 (w) for definition of "inactive vessel") the compensation provided in paragraphs (a) (b), and (c) of this section shall terminate as of the date and time the vessel started such inactive period, and in lieu thereof, until vessel again enters active service:

(1) Each General Agent shall be paid for husbanding the vessel, acting as accounting line, and performing related services—\$45.00 per day per vessel, and

(2) Each Agent shall be paid for acting as accounting line and performing related services—\$50.00 per month per vessel, or pro rata for any portion thereof.

(f) Upon the redelivery or total loss or constructive total loss of a vessel allocated to a General Agent or Agent under a service agreement, the compensation provided in this section shall terminate.

(g) In determining the compensation provided in this section, part days shall be counted as whole days.

9. Section 306.200 *Definitions* is amended, effective as of January 1, 1946, as follows:

a. Paragraph (v) is amended to read:

(v) *Port call.* A call at any one or more of the ports listed in the following groups shall be construed to be but one port call in computing the compensation due pursuant to § 306.172 (c)

ATLANTIC COAST DISTRICT

Group I

Portland, Maine.
South Portland.
Yarmouth.

Group II

Belfast, Maine.
Searsport.

Group III

Jonesport, Maine.
Machiasport.

Group IV

Bucksport, Maine.
Lubec.
Cutler.

Group V

Calais, Maine.
Robbinston.

Group VI

Boston, Mass.
East Boston.
South Boston.
Charlestown.
Everett.
Chelsea.
Lynn.
Quincy.
Weymouth.
Revere.

Group VII

Fall River, Mass.
Somerset.

Group VIII

Salem, Mass.
Beverly.
Peabody.

Group IX

Providence, R. I.
East Providence.
Davisville.

Group X

Newport, R. I.
Portsmouth.
Tiverton.
Melville.

Group XI

New London, Conn.
Allyn's Point.
Montville.
Norwich.

Group XII

New York, N. Y.
Bayonne, N. J.
Brooklyn, N. Y.
Cartaret, N. J.
Caven Point, N. J.
Constable Hook, N. Y.
Gravesend Bay, N. Y.
Hoboken, N. J.
Jersey City, N. J.
Leonardo, N. J.
Newark, N. J.
New York, N. Y.
Perth Amboy, N. J.
Sewaren, N. J.
Stapleton, N. Y.
Weehawken, N. J.
Yonkers, N. Y.

Group XIII

Philadelphia, Pa.
Chester, Pa.
Marcus Hook, Pa.
Camden, N. J.
Paulsboro, N. J.
Deep Water Point, N. J.
Wilmington, Del.
Lewes, Del.

Group XIV

Baltimore, Md.
Hawkins' Point.
Locust Point.
Sparrows Point.
Port Covington.

ATLANTIC COAST DISTRICT—continued

Group XIV—Con.

Canton.
Curtis Bay.
Fairfield.
Spring Garden.

Group XV

Norfolk, Va.
Portsmouth.
Newport News.
Sewell's Point.

GULF COAST DISTRICT

Group XVI

Tampa, Fla.
Port Tampa.
St. Petersburg.

Group XVII

Mobile, Ala.
Theodore.
Fort Morgan.

Group XVIII

Lake Charles, La.
Rose Bluff.
Lock Port.
West Lake.
Haymark.

Group XIX

New Orleans, La.
Meraux.
Chalmette.
Southport.
Algiers.
Gretna.
Harvey.
Marrero.
Westwego.
Avondale.
Port Sulphur.
Destrehan.
Norco.
Good Hope.
St. Rose.

Group XIX—Con.

Concord.
Baton Rouge.
Braithwaite.

Group XX

Galveston, Tex.
Houston.
Baytown.
Norsworthy.
Galena.
Texas City.

Group XXI

Sabine, Tex.
Sabine Pass.
Magnifico.
Port Arthur.
Atreco.
Smith's Bluff.
Neches.
Beaumont.
Stanolind.
Orange.

Group XXII

Brownsville, Tex.
Port Isabel.

Group XXIII

Corpus Christi, Tex.
Harbor Island.
Ingleside.

PACIFIC COAST DISTRICT

Group XXIV

San Francisco, Calif.
Oakland.
Alameda.
Richmond.
California City.
Redwood City.
Hunter's Point.
Point Costa.
Martinez.
Benecia.
Avon.
Amorco.
Oleum.
Point Molote.
Point San Pablo.
Mare Island.
Crockett.
Selby.
Port Chicago.
Pittsburg.
Antioch.
Bay Point.
Pinole.
Wine Haven.
Vallejo.

Group XXV

Port Ludlow, Wash.
Port Gamble.
Kingston.
Port Madison.
Winslow.
Port Blakely.
Manchester.
Bremerton.
Port Orchard.
Tacoma.

Group XXV—Con.

Olympia.
Seattle.
Point Wells.
Edmonds.
Mukilteo.
Everett.

Group XXVI

Los Angeles, Calif.
Wilmington.
San Pedro.
Long Beach.
El Segundo.

Group XXVII

Vancouver, Oreg.
Portland.

Group XXVIII

Longview, Wash.
Kalama, Wash.
St. Helens, Oreg.
Ranier, Oreg.
Proccott, Oreg.

Group XXIX

Astoria, Oreg.
West Port, Oreg.
Wauna, Oreg.
Bradwood, Oreg.
Knappton, Wash.

Group XXX

Coe's Bay, Oreg.
North Bend.
Reedsport.
Port Orford.
Newport.

ities connected with its last inward voyage, i. e. discharge of passengers, cargo and mail, paying off crew from sea articles, and/or completion of voyage repairs, whichever last occurs, and thereafter is in a standby status for a period in excess of thirty (30) days. During the first thirty (30) days in standby status, the vessel is construed to be active, and it is only for the time in excess of such thirty (30) day period that the vessel is an inactive vessel. The inactive status shall terminate upon the commencement of a new outward voyage.

(Sec. 202 of Pub. Law 492, 79th Cong., 60 Stat. 591)

By order of the United States Maritime Commission.

[SEAL]

A. J. WILLIAMS,
Secretary.

FEBRUARY 21, 1947.

[F. R. Doc. 47-2333; Filed, Mar. 11, 1947; 8:46 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[S. O. 632]

PART 95—CAR SERVICE

LUMBER; RESTRICTIONS ON RECONSIGNING

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of March A. D. 1947.

It appearing, that carload shipments of lumber are being held at points in the United States for diversion, reconsignment, or disposition orders, thereby impeding the use, control, supply, movement, distribution, exchange, interchange, and return of cars; the Commission is of opinion an emergency requiring immediate action exists in all sections of this country: It is ordered, that:

§ 95.692 *Lumber restrictions on holding for diversion, reconsignment or disposition*—(a) *Definition.* The term "lumber" as used in this order means lumber, veneer or forest products as listed in Items 26715 to 27135, inclusive, of Consolidated Freight Classification No. 17, supplements thereto or reissues thereof.

(b) *Holding of cars for diversion, reconsignment, or disposition orders, restricted.* Carload shipments of lumber held in cars for diversion, reconsignment or disposition orders beyond two days (48 hours) exclusive of Sundays and bank holidays, after the first seven a. m. (7:00 a. m.) after notice of arrival of the car at any point prior to delivery at the ultimate destination is sent or given the consignee or party entitled to receive same, and later reforwarded upon request of consignor, consignee, or owner, will be subject to the basis of charges shown in Note 1 of this paragraph.

NOTE 1: The full local or joint (not proportional, reshipping or transshipping) tariff rate to the reforwarding point, plus the

b. Paragraph (w) is added:

(w) *Inactive vessel.* An "inactive vessel" for the purpose of determining compensation pursuant to §§ 306.172, 306.181, 306.186 and 306.191 is construed to be any vessel that has completed all activ-

full local or joint (not proportional, re-shipping or transshipping) tariff rate from the reforwarding point, in effect on the date of shipment from point of origin, plus all other applicable charges previously or subsequently accruing.

(c) *Application.* (1) The provisions of this section shall apply to intrastate and foreign shipments as well as to interstate shipments transported by any common carrier by railroad subject to the Interstate Commerce Act.

(2) The provisions of this section shall not apply to carload shipments of lumber billed from the primary point of origin prior to the effective date of this section.

(3) This section shall apply to a railroad freight car loaded with lumber stopped for partial unloading at a hold or reconsigning point when the order for the "stop for partial unloading" of such car is received by the carriers subsequent to the arrival of such car at the hold or reconsigning point.

(d) *Tariff provisions suspended, announcement required.* The operation of all tariff rules and regulations insofar as they conflict with the provisions of this section is hereby suspended and each railroad subject to this section, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing such suspension.

(e) *Special and general permits.* The provisions of this section shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet exceptional circumstances.

(f) *Effective date.* This section shall become effective at 12:01 a. m., March 21, 1947.

(g) *Expiration date.* This section shall expire at 11:59 p. m., June 30, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that a copy of this order and direction be served upon each State railroad regulatory body, upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and upon all other railroads not parties to that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 47-2315; Filed, Mar. 11, 1947;
8:58 a. m.]

Subchapter B—Carriers by Motor Vehicle

[Ex Parte No. MC-5]

PART 174—SURETY BONDS AND POLICIES OF INSURANCE

In the matter of security for the protection of the public as provided in Part II of the Interstate Commerce Act, and of rules and regulations governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements by motor carriers and brokers subject to Part II of the Interstate Commerce Act.

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 6th day of February A. D. 1947.

The matter of reprinting rules and regulations governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements by motor carriers and brokers subject to Part II of the Interstate Commerce Act being under consideration.

And it appearing, that by order issued on August 3, 1936, the Commission approved and prescribed rules and regulations governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements by motor carriers and brokers subject to Part II of the Interstate Commerce Act, as security for the protection of the public, said rules and regulations to be effective from and after November 15, 1936;

And it further appearing, that by orders issued by the Commission on October 28, 1936, and December 10, 1936, the effective date of said rules and regulations was postponed until February 15, 1937, on which date they became effective;

And it further appearing, that since August 3, 1936, the Commission issued supplemental orders dated October 3, 1936, October 28, 1936, December 10, 1936, December 31, 1936, February 13, 1937, January 6, 1938, November 22, 1938, April 3, 1939, March 25, 1940, April 4, 1940, January 18, 1941, April 23, 1941, July 23, 1941, January 23, 1942, and April 18, 1944, approving amendments and additions to or modifications of said rules and regulations;

And it further appearing, that because of numerous requests for copies of our rules and regulations, as amended, extended, or modified; and in order to simplify them for ready reference, it is desirable and appropriate that the original rules and regulations and the amendments and additions thereto be consolidated and published in revised form;

It is ordered, That the rules and regulations prescribed by order of August 3, 1936, as revised and supplemented by subsequent orders, which orders are referred to and made a part hereof be, and they are hereby, published in revised form:

SECTIONS 211 (C) AND 215 OF THE INTERSTATE COMMERCE ACT

§ 211 (c). The Commission shall prescribe reasonable rules and regulations for the protection of travelers or shippers by motor vehicle, to be observed by any person holding a brokerage license, and no such license shall be issued or remain in force unless such per-

son shall have furnished a bond or other security approved by the Commission, in such form and amount as will insure financial responsibility and the supplying of authorized transportation in accordance with contracts, agreements, or arrangements therefor.

§ 215. No certificate or permit shall be issued to a motor carrier or remain in force, unless such carrier complies with such reasonable rules and regulations as the Commission shall prescribe governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer or other securities or agreements, in such reasonable amount as the Commission may require, conditioned to pay, within the amount of such surety bonds, policies of insurance, qualifications as a self-insurer or other securities or agreements, any final judgment recovered against such motor carrier for bodily injuries to or the death of any person resulting from the negligent operation, maintenance, or use of motor vehicles under such certificate or permit, or for loss or damage to property of others. The Commission may, in its discretion and under such rules and regulations as it shall prescribe, require any such common carrier to file a surety bond, policies of insurance, qualifications as a self-insurer, or other securities or agreements, in a sum to be determined by the Commission, to be conditioned upon such carrier making compensation to shippers and/or consignees for all property belonging to shippers and/or consignees, and coming into the possession of such carrier in connection with its transportation service. Any carrier which may be required by law to compensate a shipper and/or consignee for any loss, damage, or default for which a connecting motor common carrier is legally responsible shall be subrogated to the rights of such shipper and/or consignee under any such bond, policies of insurance, or other securities or agreements, to the extent of the sum so paid.

The cancellation or expiration of a policy of insurance or other form of security for the protection of the public provided for in these rules or the revocation by the Commission of its approval of any policy of insurance or other form of security without substitution of other security approved by the Commission will under the terms of the foregoing sections of the Interstate Commerce Act, render of no force any certificate, permit, or license in connection with which such security was accepted or approved, and all authority to operate granted by this Commission can be lawfully exercised only so long as the security provided for by sections 211 (c) and 215 of the Interstate Commerce Act, and by rules of this Commission remains in effect.

Sec.

- 174.1 Surety bond, etc., for property damage, public liability and cargo insurance; common and contract carriers; rule applicable to exemption of transportation.
- 174.2 Insurance, minimum amounts.
- 174.3 Combination vehicles.
- 174.4 Brokers.
- 174.5 Qualifications.
- 174.6 Bonds and insurance policies.
- 174.7 Forms and procedure.
- 174.8 Insurance companies; authorized.
- 174.9 Refusal to accept, or revocation by Commission, of surety bond, etc.
- 174.10 Fiduciaries.

AUTHORITY: §§ 174.1 to 174.10, inclusive, issued under secs. 211, 215, 49 Stat. 554, 557; 49 U. S. C. 311, 315.

§ 174.1 *Surety bond, etc., for property damage, public liability and cargo insurance; common and contract carriers; rule applicable to exemption of transportation.* No motor carrier sub-

ject to the provisions of Part II of the Interstate Commerce Act, shall engage in interstate or foreign commerce, and no certificate or permit shall be issued to a motor carrier, or shall remain in force unless and until there shall have been filed with and approved by the Commission a surety bond, policy of insurance (or certificate of insurance in lieu thereof) qualifications as a self-insurer, or other securities or agreements in not less than the amounts prescribed in § 174.2, conditioned to pay, within the amount of such surety bond, policy of insurance (or certificate of insurance in lieu thereof), qualifications as a self-insurer, or other securities or agreements any final judgment recovered against such motor carrier for bodily injuries to or the death of any person resulting from the negligent operation, maintenance, or use of motor vehicles in transportation subject to Part II, Interstate Commerce Act, or for loss or damage to property of others. Nor shall any common carrier by motor vehicle subject to the provisions of said act engage in interstate or foreign commerce, nor shall any certificate be issued to such carrier, nor remain in force unless and until there shall have been filed with and approved by the Commission a surety bond, policy of insurance (or certificate of insurance in lieu thereof) qualifications as a self-insurer, or other securities or agreements in not less than the amounts hereinafter prescribed, conditioned upon such carrier making compensation to shippers or consignees for all property belonging to shippers or consignees and coming into the possession of such carrier in connection with its transportation service: *Provided however* That this requirement shall not apply in connection with the transportation of such commodities as the Commission may from time to time determine should be exempt from such requirement because of their low value and favorable transportation characteristics.

§ 174.2 *Insurance, minimum amounts.* The minimum amounts referred to in § 174.1 are hereby prescribed as follows:

(a) *Motor carriers; bodily injury liability; property damage liability.*

(1)	(2)	(3)	(4)
Kind of equipment	Limit for bodily injuries to or death of one person	Limit for bodily injuries to or death of all persons injured or killed in any one accident (subject to a maximum of \$5,000 for bodily injuries to or death of one person)	Limit for loss or damage in any one accident (property of others (excluding cargo))
Passenger equipment (seating capacity):			
7 passengers or less.....	\$5,000	\$15,000	\$1,000
8 to 12 passengers, inclusive.....	5,000	20,000	1,000
13 to 20 passengers, inclusive.....	5,000	30,000	1,000
21 to 30 passengers, inclusive.....	5,000	40,000	1,000
31 passengers or more.....	5,000	50,000	1,000
Freight equipment: All motor vehicles used in the transportation of property..	5,000	10,000	1,000

(b) *Motor common carriers; cargo liability.* Security required to compensate shippers or consignees for loss of or damage to property belonging to shippers or consignees and coming into the possession of motor common carriers in connection with their transportation service, (1) for loss of or damage to property carried on any one motor vehicle—\$1,000; (2) for loss of or damage to or aggregate of losses or damages of or to property occurring at any one time and place—\$2,000.

§ 174.3 *Combination vehicles.* The following combinations will be regarded as one motor vehicle for purposes of this part, (a) a tractor and trailer or semi-trailer when the tractor is engaged solely in drawing the trailer or semi-trailer, and (b) a truck and trailer when both together bear a single load.

§ 174.4 *Brokers.* No person shall engage in the business of a broker as defined in Part II, Interstate Commerce Act, and no brokerage license shall be issued to any such person nor remain in force unless and until such person shall have furnished a bond or other security approved by the Commission, in an amount of not less than \$5,000, and in such form as will insure the financial responsibility of such broker and the supplying of authorized transportation in accordance with the contracts, agreements, or arrangements therefor.

§ 174.5 *Qualifications—(a) As a self-insurer.* The Commission will give consideration to and will approve the application of a motor carrier to qualify as a self-insurer if such carrier furnishes a true and accurate statement of its financial condition and other evidence which will establish to the satisfaction of the Commission the ability of such motor carrier to satisfy its obligations for bodily injury liability, property damage liability, or cargo liability without affecting the stability or permanency of the business of such motor carrier.

(b) *Other securities or agreements.* The Commission will also consider applications for approval of other securities or agreements and will approve any such applications if satisfied that the security or agreement offered will afford the security for the protection of the public contemplated by sections 211 (c) and 215 of Part II, Interstate Commerce Act.

§ 174.6 *Bonds and insurance policies.* Each certificate or policy of insurance or surety bond filed with the Commission for approval must be for not less than the full limits of liability required under this part: *Provided, however,* That only corporations may qualify to act as surety. In each case in which the surety on any such bond is a surety company, such company must be one approved by the United States Treasury Department under the laws of the United States and the applicable rules and regulations governing bonding companies.

§ 174.7 *Forms and procedure—(a) Forms of endorsements and cancellation notices.* Endorsements for policies of insurance, surety bonds, certificates of insurance and applications to qualify as a self-insurer, or for approval of other securities or agreements, and notices of

cancellation all must be in the forms prescribed and approved by the Commission.

(b) *Filing of certificates of insurance and cancellation notices.* Certificates of insurance, surety bonds, and notices of cancellation must be filed with the Commission in triplicate. Upon receipt and approval by the Commission one copy will be stamped "received and approved" and returned to the home office of the insurance or surety company.

(c) *Name of insured.* Insurance policies and surety bonds shall be written in the full and correct name of the individual, partnership, corporation, or other person to whom the certificate, permit, or license is or is to be issued. In case of a partnership all partners shall be named.

(d) *Cancellation notice.* Surety bonds, policies of insurance, endorsements, or certificates of insurance and other securities and agreements shall not be canceled or withdrawn until after thirty (30) days' notice in writing by the insurance company, surety or sureties, motor carrier, broker, or other party thereto, as the case may be, has first been given to the Commission at its office in Washington, D. C., which period of thirty (30) days shall commence to run from the date such notice is actually received at the office of the Commission.

(e) *Motor carriers and brokers; compliance with Part II, Interstate Commerce Act and this part.* Motor carriers and brokers subject to the jurisdiction of this Commission are hereby required to maintain in effect at all times the security for the protection of the public contemplated in sections 211 (c) and 215, of Part II, Interstate Commerce Act, and prescribed by these sections.

§ 174.8 *Insurance companies; authorized—(a) State authority.* No policy of insurance (or certificate of insurance in lieu thereof) will be approved by the Commission under this part unless written or issued by an insurance company legally authorized to issue such a policy in each state in which the insured motor carrier is authorized to operate under Part II of the Interstate Commerce Act, and such insurance company fully complies with paragraph (b) of this section: *Provided, however,* That the Commission will approve certificates of insurance from two or more insurance companies, or a certificate of insurance and a surety bond as provided for in § 174.6, in lieu of a certificate of insurance from one company if such certificates, or certificate and surety bond, each provide the prescribed coverage for separate states and collectively provide all the coverage prescribed in this part.

(b) *Financial resources.* Each insurance company must possess the minimum financial resources applicable to it as provided in this paragraph, which minimum will be determined on the basis of the values of assets and liabilities as shown in its financial statements filed with and approved by the insurance department or other insurance regulatory authority of the state of domicile (home state) of such company, except in instances where, in the judgment of the Commission, additional evidence with respect to such values is considered necessary.

(1) Stock corporations must have and maintain minimum policyholders' surplus funds of \$200,000, of which paid-in capital shall be not less than \$150,000.

(2) Non-stock corporations and other non-stock organizations or associations issuing nonassessable policies of insurance must have and maintain surplus funds (policyholders' surplus) in excess of all liabilities of not less than \$200,000.

(3) Non-stock corporations and other non-stock organizations or associations, issuing policies of insurance on an assessable basis only, must have and maintain surplus funds (policyholders' surplus) in excess of all liabilities of not less than \$150,000.

(c) *Effective date.* This section shall be effective (1) on April 25, 1944, as to insurance companies which are not now qualified to file certificates of insurance with the Commission, and (2) on June 24, 1944, as to companies which are now qualified to file certificates of insurance with this Commission, except that if any affected company which is now qualified to file certificates of insurance with this Commission shall on or before June 24, 1944, give assurances to this Commission, in writing, of its willingness, apparent ability, and intent, promptly to rearrange its financial affairs so as to qualify, then as to such company, the amended section shall not be effective until October 23, 1944.

§ 174.9 *Refusal to accept, or revocation by Commission, of surety bond, etc.* The Commission may, at any time, refuse to accept or may revoke its approval of any surety bond, policy of insurance (or certificate of insurance in lieu thereof) qualifications as a self-insurer, or other securities or agreements if, in its judgment, such security does not comply with

these sections or, for any reason, fails to provide satisfactory or adequate protection for the public.

§ 174.10 *Fiduciaries — (a) "Insured" and "principal" defined.* The terms "insured" and "principal" as used in policies of insurance (or certificates of insurance in lieu thereof) surety bonds, notices of cancelation, rescinders of notices of cancelation, and notices reinstating policies of insurance and surety bonds, issued in connection therewith and filed by or on behalf of motor carriers under these sections, and the endorsements prescribed in this section attached to any such policy of insurance, shall be construed to include not only the motor carrier named in the policy, certificate, bond, endorsement, rescinder or notice, but also (upon compliance with the conditions as to notice hereinafter stated in paragraph (b) of this section) the fiduciary of such motor carrier as defined in § 179.3 of this chapter.

(b) *Coverage of successors.* The coverage of fiduciaries as provided in this section shall attach at the moment of succession if written notice of the succession be given to each insurer or surety of such motor carrier within thirty (30) days from the date upon which such fiduciary shall have succeeded to the operating rights of such motor carrier. It shall be the duty of such fiduciary to give the notice above described but such notice shall be fully effective if it be given by the Interstate Commerce Commission or by any person having an interest in the coverage of such fiduciary.

(c) *Insurance coverage in behalf of fiduciaries, to apply concurrently.* The coverage furnished under the provisions of this section on behalf of fiduciaries

shall not apply subsequent to the effective date of other insurance, or other security, filed with and approved by the Commission in behalf of such fiduciaries. After the coverage provided in this section shall have been in effect thirty (30) days, it may be canceled or withdrawn within the succeeding period of thirty (30) days by the insurer, the insured, the surety, or the principal upon ten (10) days' notice in writing to the Commission at its office in Washington, D. C., which period of ten (10) days shall commence to run from the date such notice is actually received by the Commission. After such coverage has been in effect for a total of sixty (60) days, it may be canceled or withdrawn only in accordance with § 174.7.

(d) *Effective date.* This section shall become effective on September 1, 1941, and shall apply to all policies of insurance (or certificates of insurance in lieu thereof) surety bonds, notices of cancelation, rescinders of notices of cancelation, and notices reinstating policies of insurance and surety bonds issued in connection therewith, then on file or which may thereafter be filed with the Commission under this part.

And it is further ordered, That notice of this order shall be given to the public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 5.

[SEAL]

W P BARTEL,
Secretary.

[F. R. Doc. 47-2314; Filed, Mar. 11, 1947; 8:45 a. m.]

PROPOSED RULE MAKING

TREASURY DEPARTMENT

Bureau of Internal Revenue

[26 CFR, Part 29]

SALVAGE AND REINSURANCE RECOVERABLE BY CASUALTY AND FIRE INSURANCE COMPANIES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form in the appendix below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under

the authority contained in sections 62 and 3791 of the Internal Revenue Code (53 Stat. 32, 467; 26 U. S. C. 62, 3791)

Amending § 29.204-2 of Regulations 111, relating to gross income of insurance companies other than life or mutual and mutual marine insurance companies and mutual fire insurance companies issuing perpetual policies.

Section 29.204-2 of Regulations 111, as amended by Treasury Decision 5387, approved July 1, 1944 (26 CFR 29.204-2) is further amended by adding at the end thereof a new paragraph to read as follows:

For taxable years beginning after December 31, 1946, that part of the deduction for "losses incurred" which represents an adjustment to "losses paid" for "salvage and reinsurance recoverable" shall include all salvage in course of liquidation and all reinsurance in process of collection.

[SEAL]

JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

[F. R. Doc. 47-2330; Filed, Mar. 11, 1947; 8:58 a. m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[50 CFR, Part 11]

PROTECTION OF MIGRATORY BIRDS

NOTICE OF INTENTION TO ADOPT REGULATIONS DESIGNATING AS A CLOSED AREA CERTAIN LANDS IN VICINITY OF EVERGLADES NATIONAL WILDLIFE REFUGE, AND AMENDING REGULATIONS FOR PROTECTION OF MIGRATORY BIRDS

Pursuant to section 4 (a) of the Administrative Procedure Act, approved June 11, 1946 (Public Law 404, 79th Cong.) and the authority contained in section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U. S. C. 704), as amended, and the act of August 14, 1946 (Public Law 732, 79th Cong.) notice is hereby given that the Secretary of the Interior intends to take the following action:

A. To adopt a regulation designating as an area closed to the taking of migratory birds, at any time, certain lands and waters within, adjacent to, or in the

vicinity of the Everglades National Wildlife Refuge, Florida.

B. To adopt a regulation providing for the cooperative development of areas acquired by the United States, through donation, for future use as migratory bird sanctuaries or wildlife refuge areas.

The foregoing regulations are to be promulgated on March 24, 1947, or as soon thereafter as approved by the President, and to continue in effect thereafter until further notice.

Interested persons are hereby given an opportunity to participate in preparing the regulations for issuance as set forth by submitting their views, data, or arguments in writing to Albert M. Day, Director, Fish and Wildlife Service, Washington, D. C.

OSCAR L. CHAPMAN,
Under Secretary of the Interior

MARCH 6, 1947.

[F. R. Doc. 47-2261; Filed, Mar. 11, 1947; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

17 CFR, Part 9271

[Docket No. AO 71-A-12]

NEW YORK METROPOLITAN MILK MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended (7 CFR, Cum. Supp., 900.1 et seq., 10 F. R. 11791, 11 F. R. 7737, 12 F. R. 1159) notice is hereby given of a hearing to be held at the Utica Hotel, Utica, New York, beginning at 10:00 a. m., e. s. t., March 17, 1947, and at the Commodore Hotel, New York, New York, beginning at 10:00 a. m., e. s. t., March 24, 1947, for the purpose of receiving evidence with respect to proposed amendments hereinafter set forth, or appropriate modifications thereof, to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area. Since the proposals to eliminate or to modify the present formula for determining the Class I-A price raise the question of whether or not the formula will more satisfactorily maintain the Class I-A price at a level which will be consistent with the standards set forth in the act, if some or all of the price factors contained in the formula are changed, evidence will be received at the hearing with respect to any and all factors involved in the establishment of an appropriate Class I-A price. These proposed amendments have not received the approval of the Secretary of Agriculture.

Proposed amendments with respect to which evidence will be received are as follows:

1. Proposed by Farmers' Union, Northeastern Division:

Amend § 927.2 (d) (6) to read:

(6) Prepare and distribute, monthly a bulletin to all producers and to such other persons as may request it, and timely public announcements and press releases, for the benefit of producers, consumers and handlers such statistics and information concerning the operation of this order, as amended, and including the activities of check testers operating under § 927.6 (e) (2) as do not reveal confidential information.

2. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

Amend § 927.2 (d) (10) by substituting the following:

(10) The market administrator shall, from time to time, either upon his own motion or upon the request of any handler, cause inspection to be made of the buildings, facilities and surroundings of the plant and shall notify handlers of his determination as to what constitutes the plant and its equipment. If said inspection is requested by any handler, the market administrator shall notify such handler of his determination within 30 days of such request. Such determination shall be ruling for all purposes hereunder, and any revision in the determination on which handlers have been notified shall be effective not earlier than the date of notice to handlers of such revised determination.

3. Proposed by Metropolitan Cooperative Milk Producers' Bargaining Agency, Inc..

Amend § 927.2 (d) by adding a new subparagraph (11) as follows:

(11) Upon request of any handler receiving milk from producers, issue a declaratory order stating the classification of milk which such handler proposes to utilize and move as described in such request; *Provided*, That if upon audit by the market administrator of the handlers' utilizations and movements of product it is found that milk received from producers was not utilized and moved as described in such request, the milk shall be classified by the market administrator under the order in accordance with its actual utilization and movement.

4. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

Amend § 927.2 (e) (1) by deleting (1) of said section and substituting the following:

(1) The average, for the period beginning with the 25th of the preceding month and ending with the 24th of the current month, of the highest prices reported daily by the United States Department of Agriculture for U. S. Grade A or U. S. 92-score butter at wholesale in the Chicago market, plus the addition of one cent to each of such daily prices.

5. Proposed by Rockdale Creamery Corporation:

Amend § 927.2 (e) (1) (ii) and (iii) to read:

(ii) The average for the period beginning with the 25th of the immediately preceding month and ending with the 24th of the current month of the prices (using the midpoint of any range as one quotation) reported sales of all handlers reporting actual usage for Class V-B milk, for hot roller process dry skim milk or nonfat dry milk solids, other brands, human consumption, carlots, bags, or barrels.

(iii) The average for the period beginning with the 25th of the immediately preceding month and ending with the 24th of the current month of the prices (using the midpoint of any range as one quotation) reported sales of all handlers reporting actual usage for Class V-B milk, for hot roller process dry skim milk or nonfat dry milk solids, other brands, animal feed, carlots, bags or barrels.

6. Proposed by Farmers' Union, Northeastern Division:

Amend § 927.2 (e) (2) to provide for the announcement of monthly average price of U. S. Grade AA or U. S. 93-score butter on the New York market.

7. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

Amend § 927.3 (a) (3) (ii) by adding, at the end of the proviso therein, the following: "or for shipping approved skim milk from such plant."

8. Proposed by Association of Ice Cream Manufacturers of New York State:

Amend § 927.3 (a) (4) (iv) (b) by deleting the last two sentences and substituting therefor the following: "Such specified classes of milk received from producers shall include Classes I-A, II-A, II-B (except cold storage cream) and II-F to the extent that the butterfat in said class is utilized in frozen desserts or homogenized mixtures processed in New York City. *Provided*, That the inclusion of Classes II-B and II-F as set forth herein shall not be mandatory for any period that the health authority of New York City permits use, in frozen desserts or homogenized mixtures, of milk products from sources not approved for shipment of fluid milk. In addition, such specified classes may include all or a part of Class I-C."

9. Proposed by Association of Ice Cream Manufacturers of New York State:

Amend § 927.3 (a) (4) (iv) (c) "*Provided*" clause, by deleting the phrase "set forth in" and substituting "permitted by."

10. Proposed by Production and Marketing Administration: Amend § 927.3 (b) by changing the first proviso therein to read: "*Provided*, That for the months of April, May, or June no plant at which milk was received from dairy farmers during the preceding period of October, November, and December shall be a pool plant on this basis, unless at least 60 percent of such milk was classified in Class I-A and, either directly, or through other plants, was sold or distributed in or shipped to the marketing area in the form of milk."

11. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

Amend § 927.3 (b) by adding the following sentence: "On or before the 14th

day of each month, the market administrator shall make public the name of any plant designated as a pool plant pursuant hereto, together with the name of the owner or operator of said designated plant."

12. Proposed by Association of Ice Cream Manufacturers of New York State:

Amend § 927.4 (a) (2) by inserting after the word "Provided" the following: "That in the case of milk held in the form of frozen desserts, there shall be no time limitation for establishing the classification of such milk."

13. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

Amend § 927.4 (a) (3) (i) by adding after the words "Class I-A" the following: "except that, in any month in which the Class I-C price is higher than the Class I-A price, milk shipped in the form of milk to or through the marketing area, which is ultimately distributed in an area not regulated by an order of the Secretary, shall be classified as Class I-C."

14. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

Amend § 927.4 (b) by eliminating, in the first proviso, the following words: "prior to the effective date of the first rules and regulations issued hereunder the market administrator may issue temporary rules and regulations without regard to the following procedure, and."

15. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

Amend § 927.4 (b) by eliminating the second proviso and by substituting the following: "Provided further That, upon the bona fide request of any handler or handlers, a meeting shall be called pursuant to subparagraph (1) of this paragraph, not later than 30 days after such request, to consider amendments to or revisions of any rules and regulations or any temporary rules and regulations previously issued."

16. Proposed by Association of Ice Cream Manufacturers of New York State:

Amend § 927.4 (c) (5) to change "48 hours" to "7 days."

17. Proposed by New York State Association of Refrigerated Warehouses:

Amend § 927.4 (c) (5) to read:

(5) Class II-B milk shall be all milk, except as set forth in subparagraphs (7) (8) and (9) of this paragraph, the butterfat from which leaves or is on hand at a plant in the form of plain condensed milk, frozen desserts, or homogenized mixtures; or which leaves or is on hand at a plant in the form of cream, which is subsequently held in a licensed refrigerated warehouse at a temperature of zero degrees F for 28 days, the first 7 of which are to be consecutive, such temperature to be evidenced by charts of a recording thermometer. A fluctuation of not to exceed 5 degrees above zero for not more than any 72-hour consecutive period, will be permitted. Storage rooms in which such cream is held shall at all times be subject to inspection by the milk market administrator to determine the physical presence of the cream and the temperature of the room

in which stored. In the event that during the 28-day storage period, a recording thermometer fails to accurately register the temperature of the storage room, the operator of the licensed refrigerated warehouse shall immediately notify the market administrator's office of such failure, and the market administrator may then in his discretion accept accurate temperature records made manually from nonrecording thermometers, when such records are supported by an affidavit from a responsible official of the warehouse.

After the first 7 consecutive days such cream may be moved from one licensed refrigerated warehouse to another. *Provided*, That the market administrator receives notice of such removal within 48 hours thereafter. The temperature in the licensed refrigerated warehouse to which such cream is moved shall be maintained as above stated for the remaining portion of the 28-day period, after the date of removal from the original warehouse in which stored. Any handler whose report claimed the original classification of milk in this class shall be liable under the provisions of § 927.9 (c) for the difference between the Class II-B and Class II-A prices for the month in which the II-B classification was claimed on any such milk, if the storage of the cream does not comply with all the requirements of this subparagraph.

18. Proposed by Association of Ice Cream Manufacturers of New York State:

Amend § 927.4 (c) (9) to change the phrase "moved to a plant" to "moved to a plant or warehouse."

19. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

Amend § 927.5 (a) by changing subparagraph (1) thereof to read:

(1) For Class I-A milk the price per hundredweight during each month shall be as set forth in the following table: *Provided*, That the Class I-A price, during the months of April, May, and June, 1947, shall be \$4.14 per hundredweight; during the months of July, August, and September, 1947, shall not be less than \$4.58 per hundredweight:

The average price per pound of butter announced pursuant to § 927.2 (e) (1) (i), plus an amount calculated as follows: deduct 4 cents from the average dry skim milk or nonfat dry milk solids quotation per pound, announced pursuant to § 927.2 (e) (1) (iv) for the period ending on the 24th of the preceding month, and multiply by 1.8	Class I-A price	
	April through June	July through March
Cents	Dollars per cwt.	Dollars per cwt.
27.5 or over, but under 37.5.....	1.94	2.38
37.5 or over, but under 47.5.....	2.38	2.82
47.5 or over, but under 57.5.....	2.82	3.26
57.5 or over, but under 67.5.....	3.26	3.70
67.5 or over, but under 77.5.....	3.70	4.14
77.5 or over, but under 87.5.....	4.14	4.58
87.5 or over, but under 97.5.....	4.58	5.02
97.5 or over, but under 107.5.....	5.02	5.46

Should the butter-dry skim milk price combination set forth above be 107.5 cents or more, the Class I-A price shall be the price which would result from further extensions of this table at the same

rate to cover such butter-dry skim milk price combination.

20. Proposed by Metropolitan Cooperative Milk Producers' Bargaining Agency, Inc..

Amend § 927.5 (a) (1) by striking out all the words following the word "during" and substituting in place thereof the following words: "March, April, May, and June 1947 shall be \$5.10."

21. Proposed by Eastern Milk Producers' Cooperative Association, Inc..

Amend § 927.5 (a) (1) by striking out all the words following the word "during" and substituting in place thereof the following words: "March, April, May, and June 1947 shall be \$5.02."

22. Proposed by Crowley's Milk Producers' Cooperative Association, Inc..

Amend § 927.5 (a) to provide for a Class I-A price through June 1947 of \$5.02 per hundredweight.

23. Proposed by Mutual Co-Operative of Independent Producers, Inc..

Amend § 927.5 (a) by deleting subparagraph (1) thereof, and substituting therefor a new subparagraph to read as follows:

(1) For Class I-A milk of 3.5 butterfat at the 201-210 mile zone the price per hundredweight during each month shall be as follows: March through June, \$5.02; July, \$5.46.

24. Proposed by Mutual Co-Operative of Independent Producers, Inc..

a. Delete subparagraph (1) of § 927.5 (a)

b. The price of Class I milk shall be based upon its cost of production plus a reasonable profit.

c. Such price arrived at as hereinafter set forth shall be announced, after the first announcement for 6-month periods.

d. The cost of production shall be arrived at by a Board of three economists, one each from the State Agricultural Colleges of New York, Pennsylvania, and Vermont, appointed by the dean of the respective colleges for the term of one year. Such Board shall have the power to make studies, surveys, investigations, establish indexes of cost and pursue the methods now in use for arriving at cost figures and to inaugurate new surveys, revisions and examinations at monthly intervals to check trends in production cost. The supply and demand factor shall be given consideration for those months during which heavy production is anticipated, not to exceed three months of each year. The results of such surveys in the States of New York, Pennsylvania, and Vermont shall be the basis upon which the Board shall make a determination as to the monthly Class I price or prices to be paid for the 6-month period following the Board's announcement.

e. Funds for the expenses incurred by each said college in making its studies and surveys, and the expenses of the Board shall be paid, upon certificates of the respective colleges as to the amounts required or expended, from a fund of \$100,000 or such sum as may be deemed adequate, withdrawn from the producers' pool on the authority of the producers participating in the pool, given in a

referendum on the proposition, and held in trust by the administrator of Order No. 27 under explicit instructions as to its use. Such fund shall be kept to a certain amount by periodical transfers from the pool fund to the trust fund.

f. The results of the studies of cost of production and the processes involved in arriving at cost, the margin of milk above the actual market demands included as Class I, the allowance for profit over production cost and such other information as may be deemed necessary and proper, shall be publicly announced by the Board when the price of Class I milk is announced.

25. Proposed individually by A. G. Eiss, La Fargeville, New York; Anton S. Harrington, Gilboa, New York; Robert Yaun, Livingston Manor, New York; Walter S. Cady, Baldwinsville, New York; Raymond Bach, Canastota, New York; W and E. Arnold, Granville Summit, Pennsylvania; Michael J. Brock, Greenwich, New York:

That (in substance) the present price formula for Class I-A milk be abandoned and that the price be fixed to return to the producer the cost of production plus a fair and reasonable profit.

26. Proposed by Floyd B. Groff, St. Johnsville, New York:

That the Class I-A price be fixed at \$5.25 per hundredweight the year around.

27. Proposed by Ralph C. Archer, Jefferson Valley, New York:

That the Class I-A price be fixed as a percentage of the delivered fluid price and that the delivered price be fixed each month in advance by a committee of milk dealers and farmers.

28. Proposed by the United Dairy Farmers' Division, District 50, United Mine Workers of America, A. F. of L.:

Amend the price provisions of the order pertaining to fluid milk to permit basing of fluid milk price on the cost of production plus a reasonable profit for the dairy farmer. Amend the order to provide that the Dairy Branch, Production and Marketing Administration, United States Department of Agriculture shall at each hearing receive testimony on cost of production of 100 pounds of milk and shall thereafter make an official finding as to such cost of production and shall make that finding public.

29. Proposed by New England Milk Producers' Association:

Amend § 927.5 (a) (4) and § 927.4 (c) (3) to provide that the price for Class I-C milk which is shipped to or distributed in New England markets shall be the price for Class I-A milk.

30. Proposed by the Northern Farms' Cooperative, Inc.

Amend § 927.5 (a) (4) to provide that for Class I-C milk which is delivered to a plant or a purchaser in New England the price shall be the price for Class I-A milk.

31. Proposed by Production and Marketing Administration:

Amend § 927.5 (a) (4) to read:

(4) For Class I-C milk the price during each month shall be the price for Class I-A milk.

32. Proposed by Association of Ice Cream Manufacturers of New York State:

Amend § 927.5 (a) by deleting the "Provided" clause from sub-paragraphs (6), (8) and (9)

33. Proposed by Milk Dealers' Association of Metropolitan New York, Inc.:

Amend § 927.5 (a) (8) and (9) by eliminating the provisions in each instance.

34. Proposed by Milk Dealers' Association of Metropolitan New York, Inc.:

Amend § 927.5 (a) (9) by changing the phrase, "subtract 21.5 cents" to read "subtract 25.5 cents."

35. Proposed by Milk Dealers' Association of Metropolitan New York, Inc.:

Amend § 927.5 (a) (11) by substituting therefor the following:

(11) For Class III milk the price during each month for milk delivered directly by producers to plants manufacturing Class III products shall be the average, computed by the market administrator, of prices, as reported to the United States Department of Agriculture, paid during such months to farmers by each of the evaporated milk plants which purchase milk at places listed in this subparagraph and for which prices are reported; for milk originally received from producers at bulk fluid milk plants which is subsequently shipped to a manufacturing plant and there classified as Class III the price shall be the above computed average minus 27 cents per hundredweight of milk.

To these Class III prices shall be added appropriate allowances reflecting difference between freight on case goods (evaporated milk in hermetically sealed cans) and whole milk powder products shipped to the Eastern Seaboard from the middle western production area and from the New York milk shed.

or, as an alternative, substituting the following:

For Class III milk the price during each month for the months of October, November, and December, inclusive, shall be 8 cents higher than the average; for the months of August, September, January, and February shall be equal to the average; and for the other months of the year shall be 10 cents less than the average, as computed by the market administrator, of prices as reported to the United States Department of Agriculture, paid during each month to farmers by each of the evaporated milk plants which purchase milk at places listed in this subparagraph and for which prices are reported.

36. Proposed by Farmers Union, Northeastern Division:

Amend § 927.5 (a) (11) to read as follows:

(11) For Class III milk the price during each month shall be 10 cents higher than the average, computed by the market administrator, of the prices, as reported to the United States Department of Agriculture, paid during such month to farmers by each of the evaporated milk plants which purchase milk at

places listed in this subparagraph and for which prices are reported: *Provided*, That in no event shall the Class III price be less than a price computed by the market administrator as follows: To the average price of 92-score butter at wholesale in the Chicago market for such month, as reported by the United States Department of Agriculture, add 30 percent, multiply by 3.5, and add 7 cents.

LOCATION OF EVAPORATED MILK PLANTS

1st. Pleasant, Mich.	Orfordville, Wis.
Sparta, Mich.	Chilton, Wis.
Hudson, Mich.	New London, Wis.
Wayland, Mich.	Coldwater, Ohio
Coopersville, Mich.	Berlin, Wis.
New Glarus, Wis.	Richland Center, Wis.
Bellefonte, Wis.	Oconomowoc, Wis.
Greenville, Wis.	Jefferson, Wis.
Manitowish, Wis.	Delta, Ohio
Black Creek, Wis.	West Bend, Wis.

37. Proposed by Farmers Union, Northeastern Division:

Amend § 927.5 (a) (12) by changing the term "U. S. Grade A or U. S. 92-score" to "U. S. Grade AA or U. S. 93-score."

38. Proposed by Milk Dealers' Association of Metropolitan New York, Inc.:

Amend § 927.5 (a) (12) by eliminating the proviso contained therein.

39. Proposed by Milk Dealers' Association of Metropolitan New York, Inc.:

Amend § 927.5 (a) (13) by eliminating the second proviso contained therein.

40. Proposed by New York State Cheese Manufacturers' Association, Hoffman and Dudo, Chateaugay Cooperative Marketing Association, Lowville Producers' Dairy Cooperative, Inc., and St. Lawrence Creamery Company:

Delete the whole of § 927.5 (a) (13) as amended, and substitute the following:

(13) For Class IV-B milk the price during each month shall be a price computed by the market administrator as follows: From the average of weekly quotations at The Wisconsin Cheese Exchange, Plymouth, Wisconsin, for Cheddars, or in the absence of such quotations for Cheddars, the weekly quotations at The Wisconsin Cheese Exchange for Twins, subtract 3 cents (net figure representing making allowance in excess of whey fat, whey, transportation, and paraffin allowances) and multiply the result by 9.

or, as an alternative, substitute the following:

(13) For Class IV-B milk the price during each month shall be a price computed by the market administrator as follows: From the average of weekly quotations at The Wisconsin Cheese Exchange, Plymouth, Wisconsin, for Cheddars, or in the absence of such quotations for Cheddars, the weekly quotations at The Wisconsin Cheese Exchange for Twins, subtract 2 cents (net figure representing making allowance in excess of whey fat, whey, transportation, and paraffin allowances) and multiply the result by 9. *Provided also*, That from the result thus obtained, 15 cents per hundredweight of milk be subtracted during the months of March, April, May, June, July, August, and September each year.

41. Proposed by Floyd B. Groff, St. Johnsville, New York:

That the order should be changed so that those near New York City do not get twenty or thirty cents per hundredweight more than the rest.

42. Proposed by Rockdale Creamery Corporation:

Amend § 927.7 (a) by deleting subparagraph (5) thereof.

43. Proposed by Farm Bureau and Conservation Committee of the Board of Supervisors of Sullivan County, N. Y..

Amend § 927.7 (a) (5) to read as follows:

(5) With respect to milk received from producers, deduct 30 cents per hundredweight at plants in the marketing area, and 20 cents per hundredweight at plants located between the marketing area and within one hundred miles of the New York market, and plants located between one hundred and one hundred twenty-five miles from the New York market deduct fifteen cents per hundredweight, and plants between one hundred twenty-five and one hundred thirty-five miles from the New York market deduct ten cents per hundredweight, and plants located between one hundred thirty-five and one hundred forty-five miles from the New York market deduct five cents per hundredweight.

44. Proposed by Production and Marketing Administration:

Amend § 927.8 (a) by adding the following: "Provided, That if such payment cannot be made up by the required date because the producer is deceased or cannot be located, or because the cooperative association or its lawful successor or assignee is no longer in existence, such payment shall be made to the producer-settlement fund, and in the event that a lawful claim is later established, the market administrator shall make such payment from the producer-settlement fund: *Provided further* That, if, not later than the date when such payment is required to be made, legal proceedings have been instituted by the handler for the purpose of administrative or judicial review of the Market Administrator's finding upon verification as provided above, such payment shall be made to the producer-settlement fund and shall be held in reserve until such time as the above-mentioned proceedings have been completed, or until the handler submits proof to the Market Administrator that the required payment has been made to the producer or association of producers, in which latter event the payment shall be refunded to the handler."

45. Proposed by New York State Guernsey Breeders' Cooperative, Inc..

Amend § 927.8 (c) to read as follows:

(c) *Butterfat differential.* The uniform price shall be plus or minus, as the case may be, for each one-tenth of 1 percent of butterfat content of milk delivered by any producer during any month above or below 3.5 percent, a number of cents per hundredweight carried to the nearest tenth-of-a-cent, computed as follows:

(1) Subtract 2.5 cents from the price of butter computed under § 927.5 (a) (12) and multiply the remainder by .121.

(2) Subtract 2.0 cents from the price of dry skim milk for human consumption computed under § 927.5 (a) (15) and multiply the remainder by .041.

(3) Increase or decrease as the case may be the sum of the two amounts obtained above by the percentage which the uniform price of the average test of all net pooled milk is above or below the value of milk of such test for manufacture into butter and powder. For purposes of this paragraph the butter-powder value of net pooled milk of average test shall be the Class IV-A price for that test of milk plus the Class V-B price per hundredweight of skim milk computed on the basis of prices of powder for human consumption plus ten (10) cents.

or in the alternative by amending § 927.8 (c) to read as follows:

(c) *Butterfat differential.* The uniform price shall be plus or minus, as the case may be, for each one-tenth of 1 percent above or below 3.5 percent of average butterfat content of milk delivered by any producer during any month, an amount which shall be calculated by the market administrator as follows: Divide by 33.48 the weighted average price per 40-quart can of 40 percent bottling quality cream in the Boston Market, as reported by the U. S. Department of Agriculture for the month during which such milk was received from producers, or the last such price reported for a month if no such price is reported for the month during which such milk was received, subtract 1.5 cents and divide the result by 10.

46. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

Amend § 927.9 by eliminating therefrom paragraph (f) relating to cooperative payments.

47. Proposed by Rockdale Creamery Corporation:

Amend § 927.9 by deleting paragraph (f) thereof and substituting therefore the following:

(f) Any handler may apply to the Secretary of Agriculture for a determination of its qualifications to receive payments by reason of its arranging for and supplying in times of short supply Class I milk to the marketing area, securing utilization of milk, in times of long supply, in a manner to assure the greatest possible return to all producers, four cents per hundredweight of milk received from producers.

48. Proposed by Farmers' Union, Northeastern Division:

Eliminate § 927.9 (f) cooperative payments.

49. Proposed by Floyd B. Groff, St. Johnsville, N. Y..

That the order should be changed so that no cooperative can draw any money from the pool.

50. Proposed by Dairymen's League Cooperative Association, Inc.

Strike out paragraph (f) of § 927.9 and substitute in place thereof the following:

(f) *Cooperative payments.* For the purposes of this paragraph, the word "cooperative" means any cooperative association whose members consist of producers, and any federation of such coop-

erative associations. When applied to a federation of cooperative associations, the words "member" and "patron" mean, respectively, the members and the patrons of the cooperative associations which themselves constitute the members of the federation. Any cooperative may apply to the Secretary for a determination of its qualifications to receive payments pursuant to this paragraph.

After the Secretary has determined any cooperative to be qualified to receive payments pursuant to this paragraph, such cooperative shall, from time to time, as requested by the market administrator, make reports to the market administrator with respect to services rendered to the market and the use of the sums received under this paragraph. Whenever the market administrator has reason to believe that any cooperative qualified by the Secretary is failing to perform the obligations covered by the payments under this paragraph, he shall suspend and hold in reserve such payments, notifying the Secretary and the cooperative of his action and the reasons therefor. Such suspended payments shall be held in reserve until the Secretary has, after hearing, disqualified such cooperative or ruled upon the performance of the cooperative and either ordered the suspended payments to be paid to the cooperative in whole or in part or disqualified the cooperative, in which event the balance of payments held in reserve shall be returned to the producer settlement fund.

The market administrator shall make the payments authorized by this paragraph, or issue credit therefor out of the producer settlement fund on or before the 25th day of each month, subject to verification of the reports upon which such payment is based.

The payments set forth below shall be made to any cooperative determined to conform to the following requirements, provided that no such cooperative, nor any member thereof shall concurrently collect payments under more than one provision of this paragraph.

(i) The cooperative is incorporated, either with or without capital stock;

(ii) Substantially all of the memberships or shares of capital stock carrying rights to vote in the meetings of the corporation are held by persons who produce milk for sale, or by other cooperatives which conform to the provisions of this subparagraph;

(iii) Rights to vote or to be represented in the meetings of the corporation are held by members, including all holders of voting shares of capital stock, either equally or in proportion to their patronage of the corporation;

(iv) Dividends or interest on all forms of capital investment (such as capital stock, certificates of interest and certificates of indebtedness issued to patrons, but not excluding other forms) are limited to 8 per cent per year;

(v) Except in case of cooperatives qualified under subdivision (1) of this section all proceeds from the marketing of milk and all other income, after the deduction of expenses, including depreciation, and after the deduction of rea-

sonable reserves, is distributed annually, or more frequently, either directly or indirectly, to all patrons in proportion to their patronage in the form of (a) cash, or (b) evidence of capital investment, or (c) individual credits to the patrons clearly shown in the records of the corporation or of the cooperatives constituting a federation; *Provided*, That nothing herein contained shall prevent a cooperative from blending the proceeds of its sales in all markets and establishing such differentials as may be permitted under its contract with its producers;

(vi) All the milk of its members and patrons is sold by the cooperative and more milk is handled or sold for members than for non-members;

(vii) The corporation is free from direct or indirect control or domination by any handler other than a cooperative association, either through the furnishing of capital or through any other means or method whatever.

(1) Payment shall be made at the rate of $\frac{3}{4}$ cent per hundredweight of net pooled milk caused to be delivered by a cooperative to the plant of a handler provided the cooperative is the marketing agent for 60% of the producers delivering to such plants.

(2) Payment shall be made at the rate of 2 cents per hundredweight of net pooled milk reported and collected for by a cooperative that:

(i) Has at least 1,000 members who are producers;

(ii) Sells not more than 75% of its milk in any month to one handler, including its affiliates and subsidiaries;

(iii) Contracts for the sale of no milk in classes other than I and II-A for longer than monthly periods;

(iv) Systematically checks the weights and tests of milk delivered by its members;

(v) Accumulates at a rate of at least 2 cents per hundredweight of milk delivered by its producers, either from payments hereunder or from its producers or from both, funds invested in cash or readily marketable securities or controlling interests in plants approved for receiving milk to be sold in the marketing area, until the total amount equals \$1.00 or more per hundredweight of milk delivered by its producers during the next preceding month or the preceding June, whichever is greater;

(vi) Issues and distributes a publication conveying market information to its producers at least once a month;

(vii) Blends the net proceeds of all its sales;

(viii) Has contracts with not less than half of the producers making regular deliveries to each of ten plants;

(ix) Maintains an adequate staff of persons with suitable training and performs educational, legal, statistical, and other services that contribute to the orderly and efficient marketing of milk and to more effective organization of producers for these purposes.

(3) Payments shall be made at the rate of 2 cents per hundredweight of net pooled milk at plants operated by a cooperative which meets all the requirements set forth in (iii) (iv) (vi), and (vii) of paragraph (f) (2) of this section

and which accumulates at a rate of at least 2 cents per hundredweight of milk delivered by its producers, either from payments hereunder or from its producers or from both, an investment in plants approved for receiving milk to be sold in the marketing area, until the total amount equals at least 75% of the book value thereof, provided that at no time shall such investment constitute less than 20% of such value.

(4) Payments shall be made at the rate of 4 cents per hundredweight of net pooled milk reported by a cooperative or federation of cooperatives that:

(i) Has at least 2,000 members who are producers;

(ii) Contracts for the sale of no milk in classes other than I and II-A for longer than monthly periods;

(iii) Systematically checks the weights and tests of milk delivered by its members;

(iv) Issues and distributes a publication conveying market information to its producers at least once a month;

(v) Blends the net proceeds of all of its sales;

(vi) Maintains a central sales organization;

(vii) Maintains an adequate staff of persons with suitable training and performs educational, legal, statistical, and other services that contribute to the orderly and efficient marketing of milk and to more effective organization of producers for these purposes;

(viii) Has contracts with not less than half of the producers making regular deliveries to each of ten plants;

(ix) Owns and operates plants approved by a health authority in the marketing area and located at distances greater than 170 miles from New York City, capable of converting into cream and products manufactured from skim milk not less than 35% of the quantity of milk delivered by its members in the preceding June; *Provided*, That no plants hereafter equipped nearer than 225 miles from New York City shall be considered in applying this requirement;

(x) Owns and operates plants, which may include any or all of those described in subparagraph (ix) above, capable of receiving not less than half the quantity of milk delivered by its members in the preceding June;

(xi) Accumulates at a rate of at least 4 cents per hundredweight of milk delivered by its producers, either from payments hereunder or from its producers or from both, an investment in plants approved for receiving milk to be sold in the marketing area, until the total amount equals at least 75% of the book value thereof, provided that at no time shall such investment constitute less than 20% of such value;

(5) Payments shall be made at the rate of 7 cents per hundredweight of net pooled milk reported by a cooperative that meets all the requirements set forth in subdivisions (ii) (iii), (iv) (v), (vi), (vii) (viii) (ix), (x) and (xi) of paragraph (f) (4) of this section and also the following:

(i) Has at least 10,000 members who are producers;

(ii) Has contracts with not less than half the producers supplying milk to the plants of any handler to whom more than 25% of its sales are made in any month;

(iii) Has capacity in plants operated as described in paragraph (f) (4) (ix) capable of converting into cream and products manufactured from skim milk not less than ten per cent of all the milk in the last June pool below Class I.

51. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

Amend § 927.9 (g) by eliminating the words "and was used in Classes II-D, II-E or II-F during the months of July to March, inclusive, or in Class IV-A during the months of January to March, inclusive" and by substituting the words "and was assigned, in accordance with the provisions of the rules and regulations issued by the market administrator pursuant to § 927.4 (b) hereof, to Classes II-D, II-E or II-F during the months of July to March, inclusive, or to Class IV-A during the months of January to March, inclusive."

52. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

Amend § 927.9 (h) (1) and (2) (ii) by inserting the words "frozen desserts or homogenized mixtures" after the words "plain condensed milk" wherever that product is named.

53. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

Amend § 927.9 (h) by striking out, in subparagraph (2) (ii) thereof, immediately following the words "Class V-B prices;" the following: "except as provided in (iv) of this subparagraph" and by inserting this clause at the beginning of § 927.9 (h) (2) (ii).

54. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

If any Board of Health having jurisdiction in the marketing area finds that there is an inadequate supply of milk, cream, plain condensed milk or skim milk (or any one of these four products) declares an emergency and permits the importation of such butterfat or skim milk from sources other than pool plants, no payments shall be made, during the period of such declared emergency, by handlers to producers, through the producer settlement fund, for milk, cultured or flavored milk drinks, cream, plain condensed milk, frozen desserts or homogenized mixtures, or skim milk, which milk or milk product was derived from milk received at some plant from dairy farmers who are not producers.

55. Proposed by Assn. of Ice Cream Manufacturers of N. Y. State:

3. Amend § 927.9 (h) (1) and (2) (ii) (iv) by deleting all references to Class II-B therein.

56. Proposed by Assn. of Ice Cream Manufacturers of N. Y. State:

4. Amend § 927.9 (h) by adding thereto the following subparagraph:

(5) Notwithstanding any foregoing provision of this paragraph (h) of this section, the said paragraph shall be inapplicable to, and no payment shall be made thereunder by handlers to producers with respect to, milk and milk products meeting the provisions of paragraph (h) (1) of this section and used

during any period that a health authority having jurisdiction in the marketing area permits the use thereof.

57. Proposed by Milk Dealers' Association of Metropolitan New York, Inc..

(20) Amend the order providing for the payment of interest on accounts past due to the producer settlement fund and on monies unlawfully withheld from handlers by the market administrator.

58. Proposed by Production and Marketing Administration:

Amend § 927.5 (a) (15) (and the related price announcement provisions of § 927.2 (e)) to provide for computation of the Class V-B price on the basis of all prices reported by the United States Department of Agriculture for nonfat dry milk solids for human consumption, in carlot sales on the New York market, rather than on the basis of quotations for dry skim milk for animal feed and for human consumption as now provided in § 927.5 (a) (15)

Copies of this notice of hearing and of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Market Administrator, 205 East Forty-second Street, New York, New York, or from the Hearing Clerk, Office of the Solicitor, U. S. Department of Agriculture, Room 0306 South Building, Washington 25, D. C., or may be there inspected.

Dated: March 7, 1947.

[SEAL] E. A. MEYER,
Assistant Administrator Pro-
duction and Marketing Ad-
ministration.

[F. R. Doc. 47-2343; Filed, Mar. 11, 1947;
8:54 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR, Ch. II]

[No. 29678]

INCREASED PASSENGER FARES FOR NEW HAVEN RAILROAD

NOTICE OF REASSIGNMENT OF PUBLIC HEARING

MARCH 7, 1947.

By supplemental petition dated January 27, 1947, petitioners ask that this Commission further modify its order of November 13, 1920, in No. 11623, Rates, Fares and Charges of N. Y. C. & H. R. Co., 59 I. C. C. 290, as subsequently modified, sufficiently to enable petitioners to establish and maintain the same increases in their basic fares on intrastate traffic between stations on their lines within the State of New York as may be authorized on interstate traffic. This feature of the above-entitled proceeding is hereby assigned for public hearing on March 31, 1947, before Commissioner John L. Rogers and Examiner Burton Fuller at 9:30 o'clock, United States standard time, at the offices of the Interstate Commerce Commission, Washington, D. C.

The public hearing assigned by the Commission's notice of January 30, 1947,

at New York, N. Y., on March 27, 1947, with respect to commutation fares, is hereby canceled, and this feature of the above-entitled proceeding is hereby re-assigned for public hearing on April 22, 1947, before Commissioner John L. Rogers and Examiner Burton Fuller at 9:30 o'clock a. m., United States standard time, at the Hotel St. George, Clark Street, Brooklyn, New York.

The Commission has received numerous letters with respect to this proceeding. All interested parties are advised that factual data or expressions of opinion pertinent to the issues cannot be considered by the Commission if presented only in the form of letters but must be presented in the form of testimony or other evidence at the public hearings in order to be considered by the Commission.

A copy of this notice has, on the date hereof, been sent by regular mail to the said petitioners, the Governors and the rate regulatory authorities of the States of New York, Connecticut, Rhode Island, and Massachusetts, and every person who has thus far evidenced an interest therein; and at the same time copies have also been posted in the office of the Secretary of the Commission at Washington, D. C., and filed with the Director, Division of the Federal Register, Washington, D. C.

By the Commission.

[SEAL]

W P BARTEL,
Secretary.

[F. R. Doc. 47-2319; Filed, Mar. 11, 1947;
8:46 a. m.]

[49 CFR, Ch. II]

[No. 29711]

INCREASED PASSENGER FARES FOR EASTERN RAILROADS

NOTICE OF PETITION ASSIGNED FOR PUBLIC HEARING

MARCH 7, 1947.

By petition dated February 28, 1947, the common carriers by railroad in the eastern district and Pocahontas region listed in the appendix hereto request this Commission to authorize petitioners to increase between stations on their lines their interstate basic one-way passenger fares in coaches by 13.63 percent or to approximately 2.5 cents per mile and in parlor or sleeping cars by 6.06 percent or to approximately 3.5 cents per mile, with a minimum increase of 5 cents, and a minimum one-way fare of 15 cents, to increase such fares between stations on their lines and stations on connecting lines sufficiently to reflect the proposed increases on their lines, and to increase their interstate commutation and other multiple fares by approximately 20 percent in certain instances and by specific amounts in other instances, to cancel commutation and multiple fares in certain instances and to change the regulations affecting such fares in other instances.

Petitioners state that if authority is granted to increase the basic one-way fares as sought in the petition, it is the

intention of petitioners, other than those in the New England region, to establish and maintain round-trip fares, as follows:

Daily round-trip fares to be increased generally in proportion with the increases proposed with respect to one-way fares of like class, the basis of the new 3-months' limit round-trip fares to be as follows:

1. *First-class fares.* Rate per mile in each direction to be 3.5 cents (no round-trip reduction) for distances up to 200 miles; for distances from 200 miles to 700 miles (one-way distance) the rate level to be gradually decreased from 3.4 to 3.1 cents at 700 miles or more; the 3.5 cents per mile fare at 199 miles to be protected until it runs out.

2. *Coach fares.* Rate per mile in each direction to be 2.5 cents (no round-trip reduction) for distances up to 200 miles; for distances from 200 miles to 500 miles (one-way distance) the rate level to be gradually decreased from 2.25 cents to 1.9 cents at 500 miles or more; the 2.5 cents per mile fare at 199 miles to be protected until it runs out.

The Commission is further asked to modify its order of February 28, 1936, in No. 26550, Passenger Fares and Charges 214 I. C. C. 174, as subsequently modified, sufficiently to permit the establishment and maintenance of the proposed increased basic fares on interstate traffic, and to modify its orders of November 13, 1920, in No. 11623, Rates, Fares and Charges of N. Y. C. & H. R. Co., 59 I. C. C. 290, of November 13, 1920, in No. 11762, Michigan Passenger Fares, 60 I. C. C. 245, of January 10, 1921, in No. 11830, Ohio Rates, Fares and Charges, 60 I. C. C. 78, and of January 11, 1921, in No. 11703, Intrastate Rates within Illinois, 59 I. C. C. 350, as subsequently modified, sufficiently to permit the establishment and maintenance of like increases in the basic fares on intrastate traffic within the States of New York, Michigan, Ohio, and Illinois, respectively, said orders not embracing commutation or other multiple fares.

The Commission is further asked to grant such fourth-section relief as may be necessary to permit the establishment and maintenance of such increased fares, new regulations and cancellations on interstate traffic, and to permit such establishment on one day's notice, without suspension.

The petition above described has been docketed as No. 29711, Increased Passenger Fares; Eastern Railroads, and is assigned for hearing as set forth in the next succeeding paragraph hereof. The basic passenger fares are considered to be sufficiently different from the commutation and other multiple fares as to warrant separate hearings in the best interests of the record, the parties and the Commission.

The petition herein described is assigned for public hearing before Commissioner John L. Rogers and Examiner Burton Fuller on March 31, 1947, 9:30 o'clock a. m., United States standard time, at the offices of the Interstate Commerce Commission, Washington, D. C., with respect to the proposed increased basic fares, and on April 22, 1947, 9:30 o'clock a. m., United States standard

time, at the Hotel St. George, Clark St., Brooklyn, N. Y., with respect to commutation and other multiple fares.

The Commission has received numerous letters with respect to this proceeding. All interested parties are advised that factual data or expressions of opinion pertinent to the issues cannot be considered by the Commission if presented only in the form of letters but must be presented in the form of testimony or other evidence at the public hearings in order to be considered by the Commission.

A copy of this notice has, on the date hereof, been sent by regular mail to the said petitioners, the Governors and the rate regulatory authorities of the States traversed by petitioners, and every person who has thus far evidenced an interest therein; and at the same time copies have also been posted in the office of the Secretary of the Commission at Washington, D. C., and filed with the Director, Division of Federal Register, Washington, D. C.

By the Commission,

[SEAL] W. P. BARTEL,
Secretary.

APPENDIX—LIST OF PETITIONERS

(As to basic fares only, unless otherwise indicated)

The Ann Arbor Railroad Company.
The Baltimore and Annapolis Railroad Company.¹
Baltimore and Eastern Railroad Company.
The Baltimore and Ohio Chicago Terminal Railroad Company.

The Baltimore and Ohio Railroad Company.¹
Bangor and Arcostook Railroad Company.
Belfast and Moosehead Lake Railroad Company.
Bessemer and Lake Erie Railroad Company.
Boston and Maine Railroad.¹
Campbell's Creek Railroad Company.
Canadian National Lines in New England.
Canadian Pacific Railway Lines in Maine.
Canadian Pacific Railway Lines in Vermont.
The Central Railroad Company of New Jersey, Walter P. Gardner, Trustee.
Central Railroad Company of Pennsylvania.
Central Vermont Railway, Inc.
The Champlain and St. Lawrence Railroad Company (Canadian National Railway Company, Lessee).
The Chesapeake and Ohio Railway Company.
Chesapeake and Western Railway.
Chicago, Indianapolis and Louisville Railway Company.
Chicago South Shore and South Bend Railroad.¹
The Delaware and Hudson Railroad Corporation.¹
The Delaware, Lackawanna and Western Railroad Company.¹
Detroit and Mackinac Railway Company.
Detroit, Toledo and Ironton Railroad Company.
The East Broad Top Railroad and Coal Company.
Erie Railroad Company.¹
Grand Trunk Western Railroad Company.
The Huntingdon and Broad Top Mountain Railroad and Coal Company.
Jamestown, Westfield, and Northwestern Railroad Company.
Lackawanna and Wyoming Valley Railroad Company.
Lehigh Valley Railroad Company.¹
Ligonier Valley Railroad Company.

The Long Island Rail Road Company.¹
Maine Central Railroad Company.¹
Manitowish and Northeastern Railway Company.
Maryland and Pennsylvania Railroad Company.
The Monongahela Railway Company.¹
The New Jersey and New York Railroad Company (Peter Duryee, Trustee).
New Jersey, Indiana & Illinois Railroad Company.
The New York and Long Branch Railroad Company.
The New York Central Railroad Company.¹
The New York, Chicago and St. Louis Railroad Company.¹
New York, Ontario and Western Railway Company (Raymond L. Gebhardt and Ferdinand J. Sieghardt, Trustees).
New York, Susquehanna and Western Railroad Company (Henry K. Norton, Trustee).¹
Norfolk and Western Railway Company.
Onondaga and Western Railroad Company.
The Pennsylvania Railroad Company.¹
Pennsylvania-Reading Seashore Lines.¹
Pere Marquette Railway Company.
The Pittsburgh and Lake Erie Railroad Company.¹
Reading Company.¹
Rutland Railroad Company (William E. Navin and Albert A. Cree, Trustees).
The Staten Island Rapid Transit Railway Company.¹
The United States and Canada Rail Road Company (Canadian National Railway Company, Lessee).
The Virginian Railway Company.
Wabash Railroad Company.
Waynesburg and Washington Railroad Company.
Western Maryland Railway Company.¹
Youngstown & Southern Railway Company.
[F. R. Doc. 47-2316; Filed, Mar. 11, 1947; 8:45 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 1964426]

IDAHO

RESTORATION ORDER NO. 1150 UNDER FEDERAL POWER ACT

FEBRUARY 28, 1947.

Pursuant to the determination of the Federal Power Commission (DA-372, Idaho) and in accordance with the Departmental regulations of August 16, 1946 (43 CFR 4.275 (16) 11 F. R. 9080) *It is ordered as follows:*

The land hereinafter described, which was withdrawn by Departmental order of February 10, 1943, creating Power Site Classification No. 337, and also included in Power Project No. 1447 on August 4, 1937, for transmission line purposes, is hereby opened to disposition under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063) as amended by the act of August 26, 1935 (49 Stat. 846, 16 U. S. C. 818)

At 10:00 a. m. on May 2, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals,

¹ As to basic, commutation, and multiple fares.

become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from May 3, 1947 to August 1, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938* (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 13, 1947 to May 2, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on May 3, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on August 2, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 13, 1947 to August 1, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on August 2, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Blackfoot, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code

of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Blackfoot, Idaho.

The lands affected by this order are described as follows:

BOISE MERIDIAN

T. 9 S., R. 16 E., sec. 24, lot 1.

The area described contains 31.30 acres.

This land, which is in Grazing District No. 5, lies near the breaks of the Snake River and contains lava rock intermingled with a loam soil.

FRED W JOHNSON,
Director

[F. R. Doc. 47-2275; Filed, Mar. 11, 1947;
8:46 a. m.]

[Misc. 2034270]

WASHINGTON

**RESTORATION ORDER NO. 1191 UNDER
FEDERAL POWER ACT**

FEBRUARY 28, 1947.

Pursuant to the determination of the Federal Power Commission (DA-95, Washington) and in accordance with the Departmental regulations of August 16, 1946 (43 CFR § 4.275 (16) 11 F. R. 9080) *It is ordered as follows:*

The land hereinafter described, which was withdrawn by Departmental order of December 8, 1944, creating Power Site Classification No. 373, is hereby opened to disposition under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063) as amended by the act of August 26, 1935 (49 Stat. 846, 16 U. S. C. 818)

At 10:00 a. m. on May 2, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from May 3, 1947 to August 1, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law; and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights con-

ferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 13, 1947, to May 2, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on May 3, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on August 2, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous nonpreference right filings.* Applications by the general public may be presented during the 20-day period from July 13, 1947, to August 1, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on August 2, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Spokane, Washington, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Spokane, Washington.

The lands affected by this order are described as follows:

WILLAMETTE MERIDIAN,

T. 39 N., R. 33 E., sec. 17, lots 4 and 5.

The area described contains 45 acres.

This land, which is located west of the Sanpoil River, is rough and broken and has a sandy loam soil containing much rock.

FRED W JOHNSON,
Director

[F. R. Doc. 47-2276; Filed, Mar. 11, 1947;
8:46 a. m.]

[Misc. 2035622]

COLORADO

**RESTORATION ORDER NO. 1210 UNDER FEDERAL
POWER ACT**

FEBRUARY 28, 1947.

Pursuant to the determination of the Federal Power Commission (DA-253, Colorado) and in accordance with the Departmental regulations of August 16, 1946 (43 CFR 4.275 (16), 11 F. R. 9080), *It is ordered as follows:*

The land hereinafter described, which was reserved on April 8, 1921, for Power Project No. 163, is hereby opened to disposition under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063) as amended by the act of August 26, 1935 (49 Stat. 846, 16 U. S. C. 818)

At 10:00 a. m. on May 2, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from May 3, 1947 to August 1, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 13, 1947, to May 2, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on May 3, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on August 2, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 13, 1947, to August 1, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on August 2, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise,

and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Denver, Colorado, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Denver, Colorado.

The lands affected by this order are described as follows:

SIXTH PRINCIPAL MERIDIAN

T. 8 S., R. 86 W., sec. 10, N $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains 5 acres.

The land, which is in Grazing District No. 7, is located near Roaring Fork River and is rough and mountainous with a rocky loam soil.

FRED W JOHNSON,
Director

[F. R. Doc. 47-2279; Filed, Mar. 11, 1947;
8:47 a. m.]

[Misc. 2062586]

ARIZONA

ORDER PROVIDING FOR THE OPENING OF PUBLIC LANDS

MARCH 6, 1947.

Departmental order approved September 26, 1945, revoked Departmental order of August 21, 1909, so far it withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388) the lands hereinafter described within the Salt River Project, Arizona, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described.

At 10:00 a. m. on May 8, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from May 9, 1947 to August 7, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on

prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 19, 1947 to May 8, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on May 9, 1947, shall be treated as simultaneously filed:

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on August 8, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 19, 1947 to August 7, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on August 8, 1947 shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Phoenix, Arizona, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Phoenix, Arizona.

The lands affected by this order are described as follows:

GILA AND SALT RIVER MERIDIAN

T. 1 N., R. 8 E.,
Secs. 4, 5, 6, 12, 13, and 15.

The areas described aggregate 3,839.12 acres. The lands are located in Pinal County, Arizona, and lie at elevations between 1,800 and 2,000 feet above sea level in an area which is typically desert.

FRED W JOHNSON,
Director.

[F. R. Doc. 47-2283; Filed, Mar. 11, 1947;
8:58 a. m.]

[Misc. 2073323]

UTAH

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

FEBRUARY 26, 1947.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g) the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on April 30, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 30, 1947, to July 30, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 10, 1947, to April 30, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 30, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 30, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 10, 1947, to July 30, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 30, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Salt Lake City, Utah.

The lands affected by this order are described as follows:

SALT LAKE MERIDIAN

T. 27 S., R. 11 W.,
Sec. 1, N $\frac{1}{2}$, SW $\frac{1}{4}$.
T. 40 S., R. 12 W.,
Sec. 4, E $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 9, E $\frac{1}{2}$ NW $\frac{1}{4}$.

The areas described contain 640 acres, and are in Utah Grazing Districts Nos. 3 and 4.

The land in T. 27 S., R. 11 W., is slightly rolling in character, having a gravelly clay soil. The lands in T. 40 S., R. 12 W., are located on a high mesa in the vicinity of the Zion National Park and the soil is mostly clay.

FRED W. JOHNSON,
Director

[F. R. Doc. 47-2288; Filed, Mar. 11, 1947;
8:45 a. m.]

[Misc. 2073855]

UTAH

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

FEBRUARY 26, 1947.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (46 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g) the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on April 30, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 30, 1947, to July 30, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing

laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 10, 1947, to April 30, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 30, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 30, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from July 10, 1947, to July 30, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 30, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Salt Lake City, Utah.

The lands affected by this order are described as follows:

SALT LAKE MERIDIAN

T. 25 S., R. 11 W.,
Sec. 11, N $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 26, SE $\frac{1}{4}$.

The area described contains 280 acres. The lands above described are in Utah Grazing District No. 3. The lands are level valley lands, having a sandy loam soil in Millard County, Utah, and are valuable principally for grazing.

FRED W. JOHNSON,
Director

[F. R. Doc. 47-2287; Filed, Mar. 11, 1947;
8:45 a. m.]

[Misc. 2073331]

NEW MEXICO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

FEBRUARY 28, 1947.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g) the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on May 2, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from May 2, 1947, to August 1, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from July 12, 1947, to August 1, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on August 1, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on August 1, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 12, 1947, to August 1, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on August 1, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Las Cruces, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Las Cruces, New Mexico.

The lands affected by this order are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

- T. 5 S., R. 24 E.,
Sec. 28, S $\frac{1}{2}$,
Sec. 29, S $\frac{1}{2}$.
- T. 25 S., R. 26 E.,
Sec. 17, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 20, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 23 S., R. 27 E.,
Sec. 29, NW $\frac{1}{4}$.
- T. 22 S., R. 28 E.,
Sec. 27, E $\frac{1}{2}$.

The areas described contain 1,440 acres. The lands are rolling to level in topography and are valuable chiefly for grazing, and are in New Mexico Grazing District No. 6.

FRED W. JOHNSON,
Director.

[F. R. Doc. 47-2271; Filed, Mar. 11, 1947;
8:46 a. m.]

[Misc. 2073856]

NEW MEXICO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

FEBRUARY 26, 1947.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g) the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on April 30, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 30, 1947, to July 30, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application

under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 10, 1947 to April 30, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 30, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 30, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 10, 1947, to July 30, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 30, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Las Cruces, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Las Cruces, New Mexico.

The lands affected by this order are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

- T. 1 N., R. 14 W.,
Sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains 120 acres. The above described land is in Grazing District No. 2. The land is level to rolling in character and is traversed for two-thirds of its length by a small stream which runs

through a valley varying from 200 to 400 yards in width.

FRED W. JOHNSON,
Director.

[F. R. Doc. 47-2268; Filed, Mar. 11, 1947;
8:45 a. m.]

[Misc. 2074352]

IDaho

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

FEBRUARY 26, 1947.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g) the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on April 30, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 30, 1947, to July 30, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 10, 1947 to April 30, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 30, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 30, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous nonpreference right filings.* Applications by the general public may be presented during the 20-day period from July 10, 1947, to July 30, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 30, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Blackfoot, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Blackfoot, Idaho.

The lands affected by this order are described as follows:

BOISE MERIDIAN

T. 9 S., R. 18 E.,
Sec. 16, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 7 S., R. 21 E.,
Sec. 20, E $\frac{1}{2}$.

The areas described contain 360 acres. The lands are in Grazing District No. 5. The lands are rather level in character, lying at an elevation of about 4,000 feet. The land contains outcrops of lava rock.

FRED W JOHNSON,
Director

[F. R. Doc. 47-2269; Filed, Mar. 11, 1947;
8:45 a. m.]

[Misc. 2080874]

COLORADO

RESTORATION ORDER NO. 1211 UNDER FEDERAL POWER ACT

FEBRUARY 28, 1947.

Pursuant to the determination of the Federal Power Commission (DA-256, Colorado) and in accordance with the Departmental regulations of August 16, 1946 (43 CFR 4.275 (16) 11 F. R. 9080), *It is ordered as follows:*

The land hereinafter described, which was withdrawn by Executive order of July 2, 1910, creating Power Site Reserve No. 81, is hereby opened to disposition under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063) as amended by the act of August 26, 1935 (49 Stat. 846, 16 U. S. C. 818)

At 10:00 a. m. on May 2, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to appli-

cation, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from May 3, 1947, to August 1, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirement of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 13, 1947, to May 2, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on May 3, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on August 2, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 13, 1947, to August 1, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on August 2, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Denver, Colorado, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Denver, Colorado.

The lands affected by this order are described as follows:

SIXTH PRINCIPAL MERIDIAN

T. 3 S., R. 74 W., sec. 28, lot 40.

The area described contains 2.25 acres. This land is located near Clear Creek and is rocky, hilly, and rough, with a thin sandy loam soil.

FRED W JOHNSON,
Director

[F. R. Doc. 47-2281; Filed, Mar. 11, 1947;
8:47 a. m.]

[Misc. 2085858]

OREGON

RESTORATION ORDER NO. 1215 UNDER FEDERAL POWER ACT

FEBRUARY 28, 1947.

Pursuant to the determination of the Federal Power Commission (DA-351, Oregon) and in accordance with the Departmental regulations of August 16, 1946 (43 CFR 4.275 (16), 11 F. R. 9080), *It is ordered as follows:*

The land hereinafter described, which was withdrawn by Executive order of July 2, 1910, creating Power Site Reserve No. 26, is hereby opened to disposition under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063) as amended by the act of August 26, 1935 (49 Stat. 846, 16 U. S. C. 818)

At 10:00 a. m. on May 2, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from May 3, 1947, to August 1, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 13, 1947, to May 2, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on May 3, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on August 2, 1947, any of the lands remaining un-

appropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 13, 1947, to August 1, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on August 2, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at The Dalles, Oregon, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at The Dalles, Oregon.

The lands affected by this order are described as follows:

WILLAMETTE MERIDIAN

T. 15 S., R. 12 E., sec. 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains 40 acres. This land, which is in Grazing District No. 5, is located near the Deschutes River and is rough, broken and rocky, with shallow loam soil.

FRED W. JOHNSON,
Director

[F. R. Doc. 47-2282; Filed, Mar. 11, 1947;
8:47 a. m.]

[Misc. 2100966]

WYOMING AND MONTANA

ORDER PROVIDING FOR THE OPENING OF
PUBLIC LANDS

MARCH 3, 1947.

Departmental order approved July 9, 1946, revoked Departmental orders of July 25, 1905, May 2, 1919, February 3, and April 20, 1928, and April 2, 1929, in so far as they withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388) the lands hereinafter described within the Shoshone Project, Wyoming-Montana, and provided that such revocation shall not affect the withdrawal of any other lands by said orders or affect any

other order withdrawing or reserving the lands described.

At 10:00 a. m. on May 5, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from May 6, 1947, to August 4, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 16, 1947, to May 5, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on May 6, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings, authorized by the public-land laws.* Commencing at 10:00 a. m. on August 5, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 16, 1947, to August 4, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on August 5, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Cheyenne, Wyoming, and Billings, Montana, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of

the Code of Federal Regulations and applications and the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Cheyenne, Wyoming, and Billings, Montana.

The lands affected by this order are described as follows:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 53 N., R. 96 W.,
Secs. 1 to 4, secs. 9 to 15, inclusive, sec. 16, secs. 21 to 26, inclusive, and sec. 27;
Lots 44 to 53, inclusive.
T. 53 N., R. 97 W.,
Sec. 3, W $\frac{1}{2}$,
Sec. 4, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 9, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$,
Sec. 10, NW $\frac{1}{4}$,
Sec. 15, W $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 16;
Sec. 21, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 22, W $\frac{1}{2}$,
Sec. 27, W $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 28, E $\frac{1}{2}$,
Lots 39, 44, and 51;
Lots 62-Q, 62-R, 62-S, and 62-T.
T. 54 N., R. 97 W.,
Secs. 31 and 33;
Lots 38-C, 38-D, 38-E, 38-F, 38-K, 38-L, 38-M, and 38-N;
Lots 39 and 45;
Lots 46-C, 46-D, 46-E, 46-F, 46-K, 46-L, 46-M, and 46-N;
Lots 49-C, 49-D, 49-E, 49-F, 49-K, 49-L, 49-M, and 49-N;
Lots 59-A, 59-B, 59-G, 59-H, 59-I, 59-J, 59-O, and 59-P;
Lot 57;
Lots 58-C, 58-D, 58-E, 58-F, 58-K, 58-L, 58-M, and 58-N;
Lots 61-C, 61-D, 61-E, 61-F, 61-K, 61-L, 61-M, and 61-N;
Lots 62-A to 62-P, inclusive;
Lots 64-C, 64-D, 64-E, and 64-F;
Lots 65-A, 65-B, 65-C, lots 65-H to 65-O, and lots 65-R to 65-U, inclusive.
T. 51 N., R. 93 W.,
Secs. 1, 12, 13, 14, 15, and 20;
Sec. 22, lots 34 and 35;
Sec. 23, lot 11;
Secs. 23 to 32, inclusive;
Tracts 39, 51, 53, 56, 59, and 62;
Tracts 63-B, 63-D, 63-F, and tracts 63-H to 63-T, inclusive;
Tracts 64-B, 64-D, 64-F, and tracts 64-H to 64-T, inclusive;
Tracts 65 and 66;
Tracts 67-A to 67-M, inclusive;
Tract 69;
Tracts 70-B, 70-D, 70-F, and tracts 70-H to 70-T, inclusive;
Tracts 71-B, 71-D, 71-F, and tracts 71-H to 71-T, inclusive;
Tracts 72 and 73;
Tracts 75-H and 75-I;
Tracts 76, 77, and 78;
Tracts 79-B, 79-D, 79-F, and tracts 79-H to 79-T, inclusive;
Tracts 80-P, 80-Q, 80-R, 80-S, 80-V, 80-W, 80-X and 80-Y;
Tracts 81-A to 81-D, tracts 81-G to 81-N, and tracts 81-Q to 81-T, inclusive;
Tracts 82-A to 82-D, tracts 82-G to 82-N, and tracts 82-Q to 82-T, inclusive;
Tracts 83-A to 83-D, tracts 83-G to 83-N, and tracts 83-Q to 83-T, inclusive;
Tracts 84-A to 84-D, tracts 84-G to 84-N, and tracts 84-Q to 84-T, inclusive;
Tracts 85-A to 85-D, tracts 85-G to 85-N, inclusive, tracts 85-R, 85-T, and 85-V;
Tracts 86, 87, and 89;
Tracts 91-A to 91-E, inclusive;
Tracts 94, 97, and 93.

T. 52 N., R. 98 W.,
Sec. 35, lots 10, 11, and 20 (part of tract 45);
Sec. 36, lots 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, and 19 (part of tract 45);
Tracts 42-I to 42-P, inclusive;
Tracts 43-I to 43-P, inclusive;
Tracts 44-I to 44-P, inclusive;
Tracts 63-A, 63-C, 63-E, and 63-G;
Tracts 64-A, 64-C, 64-E, and 64-G;
Tracts 64-O and 64-P;
Tracts 70-A, 70-C, 70-E, and 70-G;
Tracts 71-A, 71-C, 71-E, and 71-G;
Tract 75-A;
Tracts 79-A, 79-C, 79-E, and 79-G.

T. 53 N., R. 98 W.,
Secs. 2, 3, 10, 15, 22, and 27;
Lots 40, 41, 42, and 44;
Lots 45-C to 45-J, inclusive;
Lots 46-E to 46-L, inclusive.

T. 54 N., R. 98 W.,
Lots 37, 38, and 39;
Lots 45-A and 45-B;
Lots 46-A to 46-D, inclusive;
Lots 65-D, 65-E, 65-F, 65-G, 65-P, and 65-Q.

T. 57 N., R. 98 W.,
Sec. 4;
Sec. 8, S $\frac{1}{2}$;
Sec. 17, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 18, lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 20, N $\frac{1}{2}$;
Sec. 30, W $\frac{1}{2}$.

T. 58 N., R. 98 W.,
Sec. 20, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 26, W $\frac{1}{2}$;
Secs. 28 and 34.

T. 60 N., R. 99 W.,
Sec. 1, lots 6, 7, 8, 9, 14, 15, 20, 21, 22, 28, 32, 33, 40, and N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 2, lot 5 (part of tract 86);
Tracts 72 to 75, inclusive;
Tracts 76-A, 76-B, 76-D, and tracts 76-F to 76-R, inclusive;
Tracts 77-B, 77-D, 77-F, and tracts 77-H to 77-T, inclusive;
Tract 85-Q;
Tracts 87-N, 87-P, 87-R, and 87-T;
Tracts 88-P and 88-R.

T. 51 N., R. 99 W.,
Sec. 35, lots 10, 11, 20, and 21 (part of tract 86);
Sec. 36, lots 6 to 9, lots 12 to 19, and lots 22 to 25, inclusive (part of tract 86);
Tracts 46-I to 46-P, inclusive;
Tract 47;
Tracts 48-I to 48-P, inclusive;
Tracts 58-I to 58-P, inclusive;
Tracts 59 to 63, inclusive;
Tracts 64-I to 64-P, inclusive;
Tracts 77-A, 77-C, 77-E, and 77-G;
Tracts 80-T and 80-U;
Tracts 81-E, 81-F, 81-O, and 81-P;
Tracts 82-E, 82-F, 82-O, and 82-P;
Tracts 83-E, 83-F, 83-O, and 83-P;
Tracts 84-E, 84-F, 84-O, and 84-P;
Tracts 85-E, 85-F, 85-O, and 85-P;
Tracts 87-A to 87-M, inclusive, tracts 87-O, 87-Q, and 87-S;
Tracts 88-A to 88-O, inclusive, and tract 88-Q;
Tract 89.

T. 51 N., R. 100 W.,
Sec. 11;
Sec. 12, lots 3, 4, 7, 8, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 13;
Sec. 14, lots 1, 2, and S $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 24;
Sec. 25, lots 3, 4, W $\frac{1}{2}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$.

T. 52 N., R. 101 W.,
Sec. 29, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$;
Sec. 30, E $\frac{1}{2}$;
Sec. 31, lots 1, 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 32, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33, lots 1, 2, 4, NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 34, lots 1 to 5, inclusive, E $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 35, W $\frac{1}{2}$;
Lot 37;
Lot 54.

PRINCIPAL MERIDIAN, MONTANA

T. 9 S., R. 25 E.,
Secs. 22 to 27, inclusive;
Sec. 33, lot 2;
Sec. 34.

The areas described aggregate 71,316.29 acres. Part of the lands are patented and some are included in school sections.

The lands vary considerably in topography, ranging from broken and rolling mountainous land to rolling nearly level in places with some table and bench land intervening. All the lands are fairly well watered from springs and streams which run through the land. The soil, for the most part, may be classified as second- and third-rate fertility, producing such native vegetation as bunch and buffalo grasses and sage.

FRED W. JOHNSON,
Director

[F. R. Doc. 47-2272; Filed, Mar 11, 1947;
8:46 a. m.]

[Misc. 2112256]

CALIFORNIA

RESTORATION ORDER NO. 1207 UNDER
FEDERAL POWER ACT

FEBRUARY 28, 1947.

Pursuant to the determination of the Federal Power Commission (DA-639, California) and in accordance with the Departmental regulations of August 16, 1946 (43 CFR § 4.275 (16) 11 F. R. 9080) it is ordered as follows:

The land hereinafter described, which was withdrawn by Executive order of April 19, 1912, creating Power Site Reserve No. 261, and also included in Power Project No. 284 on July 31, 1922, is hereby opened to disposition under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063) as amended by the act of August 26, 1935 (49 Stat. 846, 16 U. S. C. 818)

At 10:00 a. m. on May 2, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from May 3, 1947, to August 1, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 13, 1947, to May 2, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans,

may present their applications, and all such applications, together with those presented at 10:00 a. m. on May 3, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on August 2, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous nonpreference right filings.* Applications by the general public may be presented during the 20-day period from July 13, 1947, to August 1, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on August 2, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Sacramento, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Sacramento, California.

The lands affected by this order are described as follows:

MOUNT DIABLO MERIDIAN

T. 5 N., R. 13 E., sec. 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains 40 acres. This land is rough and mountainous, and has a sandy loam soil with considerable granite rock.

FRED W. JOHNSON,
Director

[F. R. Doc. 47-2277; Filed, March 11, 1947;
8:47 a. m.]

[Misc. 2112863]

UTAH

RESTORATION ORDER NO. 1208 UNDER
FEDERAL POWER ACT

FEBRUARY 28, 1947.

Pursuant to the determination of the Federal Power Commission (DA-65, Utah) and in accordance with the Departmental regulations of August 10,

1946 (43 CFR 4.275 (16) 11 F. R. 9080),
It is ordered as follows:

The land hereinafter described, which was withdrawn by Executive order of May 27, 1913, creating Power Site Reserve No. 363, and also included in Power Project No. 290, is hereby opened to disposition under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063) as amended by the act of August 26, 1935 (49 Stat. 846, 16 U. S. C. 818)

At 10:00 a. m. on May 2, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from May 3, 1947, to August 1, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 13, 1947, to May 2, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on May 3, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on August 2, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 13, 1947, to August 1, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on August 2, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Salt Lake City, Utah.

The lands affected by this order are described as follows:

SALT LAKE MERIDIAN

T. 16 S., R. 7 E., ecc. 27, NE¼NE¼.

The area described contains 40 acres. This land, which is in Grazing District No. 7, is located near Huntington Creek and is rough and mountainous, having a heavy clay loam soil.

FRED W. JOHNSON,
Director.

[F. R. Doc. 47-2278; Filed, Mar. 11, 1947;
8:47 a. m.]

[Misc. 2114032]

NEW MEXICO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

FEBRUARY 28, 1947.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g), the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on May 2, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from May 2, 1947, to August 1, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from July 12, 1947, to August 1, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on August 1, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on August 1, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 12, 1947, to August 1, 1947, inclusive, and all of such applications, together with those presented at 10:00 a. m. on August 1, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Santa Fe, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Santa Fe, New Mexico.

The lands affected by this order are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 5 S., R. 23 E.,
Sec. 27, S½SW¼.
Sec. 28, S½S½.
Sec. 29, S½SE¼.
Sec. 31, W½E½, NE¼NE¼, SE¼SE¼.
Sec. 32, S½SW¼.

The area described contains 640 acres. The above-described land is in Grazing District No. 6. This land is located in the Da Baca County, New Mexico, 15 miles west of Kenna. The land is rolling to hilly in character, having a sandy soil.

FRED W. JOHNSON,
Director.

[F. R. Doc. 47-2270; Filed, Mar. 11, 1947;
8:45 a. m.]

[Misc. 2114213]

OREGON

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

FEBRUARY 26, 1947.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g) the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on April 30, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 30, 1947, to July 30, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 10, 1947, to April 30, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 30, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 30, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 10, 1947, to July 30, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 30, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at The Dalles, Oregon, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at The Dalles, Oregon.

The lands affected by this order are described as follows:

WILLAMETTE MERIDIAN

T. 22 S., R. 29 E.,
Sec. 12, W½W½.

The area described contains 160 acres. The lands, located in Oregon Grazing District No. 2, are in Harney County, Oregon. The surface is rolling and quite hilly at an altitude of about 4,200 feet above sea level. These lands are chiefly valuable for grazing purposes.

FRED W JOHNSON,
Director

[F. R. Doc. 47-2285; Filed, Mar. 11, 1947;
8:47 a. m.]

[Misc. 2114214]

NEW MEXICO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

FEBRUARY 26, 1947.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g) the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on April 30, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 30, 1947, to July 30, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by

such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 10, 1947, to April 30, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 30, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 30, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous nonpreference right filings.* Applications by the general public may be presented during the 20-day period from July 10, 1947, to July 30, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 30, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Santa Fe, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Santa Fe, New Mexico.

The lands affected by this order are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 29 N., R. 9 W.,
Sec. 8, SE¼NE¼,
Sec. 9, S½NW¼, containing 120 acres.

The above-described land is in Grazing District No. 1, and is principally valuable for winter grazing use. The land lies on a mesa adjacent to the San Juan River and is of a sandy character supporting a stand of grey sage.

FRED W JOHNSON,
Director

[F. R. Doc. 47-2284; Filed, Mar. 11, 1947;
8:47 a. m.]

[Misc. 2114215].

NEW MEXICO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

FEBRUARY 26, 1947.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g) the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on April 30, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 30, 1947, to July 30, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 10, 1947, to April 30, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 30, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 30, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 10, 1947, to July 30, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 30, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Las Cruces, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Las Cruces, New Mexico.

The lands affected by this order are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN:

T. 19 S., R. 5 W.,

Sec. 30, lot 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains .159.73 acres. The land described is in Grazing District No. 3. The land is level to rolling and hilly in topography, having a light fine sandy soil.

FRED W. JOHNSON,
Director.

[F. R. Doc. 47-2226; Filed, Mar. 11, 1947;
8:48 a. m.]

[Misc. 2114217]

OREGON

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

FEBRUARY 26, 1947.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g), the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on April 30, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 30, 1947, to July 30, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 10, 1947, to April 30, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 30, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 30, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 10, 1947, to July 30, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 30, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Lakeview, Oregon, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Lakeview, Oregon.

The lands affected by this order are described as follows:

WILLAMETTE MERIDIAN

T. 38 S., R. 24 E.,

Sec. 18, SW $\frac{1}{4}$ SE $\frac{1}{4}$.Sec. 19, NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.Sec. 20, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$.SW $\frac{1}{4}$ SE $\frac{1}{4}$.Sec. 23, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, containing 640 acres.

The above-described lands are in Grazing District No. 2, Lake County, Oregon. The lands are in a small valley at an altitude of approximately 5,000 feet and are valuable chiefly for grazing.

FRED W. JOHNSON,
Director.

[F. R. Doc. 47-2237; Filed, Mar. 11, 1947;
8:48 a. m.]

[Misc. 2119208]

OREGON

RESTORATION ORDER NO. 1213 UNDER
FEDERAL POWER ACT

FEBRUARY 28, 1947.

Pursuant to the determination of the Federal Power Commission (DA-347, Oregon) and in accordance with the Departmental regulations of August 16, 1946 (43 CFR 4.275 (16), 11 F. R. 9080) *It is ordered as follows:*

The land hereinafter described, which was reserved on December 28, 1920, for Power Project No. 143, is hereby opened to disposition under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063) as amended by the act of August 26, 1935 (49 Stat. 846, 16 U. S. C. 818)

At 10:00 a. m. on May 2, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from May 3, 1947, to Aug. 1, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 13, 1947, to May 2, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on May 3, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on August 2, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 13, 1947, to August 1, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on August 2, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval

service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Lakeview, Oregon, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Lakeview, Oregon.

The lands affected by this order are described as follows:

WILLAMETTE MERIDIAN

T. 39 S., R. 23 E., sec. 8, NW¼NE¼ and NE¼NW¼.

The area described contains 80 acres.

This land, which is in Grazing District No. 2, is rough, broken and mountainous, with a rocky loam soil.

FRED W JOHNSON,
Director

[F. R. Doc. 47-2280; Filed, Mar. 11, 1947;
8:47 a. m.]

WYOMING GRAZING DISTRICT No. 3
SPECIAL RULE WITH RESPECT TO GRAZING
PRIVILEGES

Special rule for Wyoming Grazing District No. 3 pursuant to authority vested in the Secretary of the Interior by the act of June 28, 1934 (48 Stat. 1269, 43 U. S. C. 315, et seq.) as amended, commonly known as the Taylor Grazing Act, and in accordance with the provisions of section 15 of the Federal Range Code, approved September 23, 1942.

A proper factual showing of its necessity having been made by the regional grazer, and it having been found that local conditions in the Lower Baggs and Shell Creek Units of Wyoming Grazing District No. 3 (Divide) make necessary and desirable the application of a special rule in order to achieve an administration consistent with the purposes of the act, there is hereby established for these units a limit of 600 animal unit months of Federal range grazing privileges, which is the equivalent of six months' use of the Federal range by 100 cattle or horses or 500 sheep or goats, below which no license or permit that is in excess of 600 animal unit months, and that is exercised entirely in these units, will be reduced to reach the grazing capacity of the Federal range in the distribution of grazing privileges among qualified applicants in class 1. No license or permit

that is for less than 600 animal unit months and that is exercised entirely in these units will be reduced, and no reduction will be for more than 25 percent.

FRED W JOHNSON,
Director

Approved: February 28, 1947.

OSCAR L. CHAPMAN,
Acting Secretary of the Interior

[F. R. Doc. 47-2283; Filed, Mar. 11, 1947;
8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 1374]

WESTERN AIR LINES, INC.

NOTICE OF HEARING

In the matter of the petition of Western Air Lines, Inc., under section 406 of the Civil Aeronautics Act of 1938, as amended, for an order temporarily fixing and determining the fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith over routes Nos. 13, 19, 52, 63 and 68.

Notice is hereby given that hearing in the above-entitled proceeding is assigned to be held on March 17, 1947, 10:00 a. m. (eastern standard time), in Room 1508, Department of Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner F. A. Law, Jr.

Dated at Washington, D. C., March 6, 1947.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-2298; Filed, Mar. 11, 1947;
8:49 a. m.]

FEDERAL COMMUNICATIONS
COMMISSION

[Docket Nos. 6913, 8160]

WLEU BROADCASTING CORP. (WLEU)
AND PRESQUE ISLE BROADCASTING CO.
(WERC)

ORDER TO SHOW CAUSE

In re application of WLEU Broadcasting Corporation (WLEU) Erie, Pa., Docket No. 6913, File No. BP-4115; for construction permit and modification of broadcast license of Presque Isle Broadcasting Co. (WERC) Erie, Pa., Docket No. 8160, File No. BS-1128.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of February 1947;

The Commission having under consideration (1) the record of the hearing, held at Washington, D. C., on January 3-7, 1946, in the above-entitled application of WLEU Broadcasting Corporation, requesting a construction permit to change the broadcast facilities of Station WLEU, Erie, Pennsylvania, from 1450 kc, with 250 watts power, unlimited time, to 1260 kc, with 1 kw power night and 5 kw power day, to install a direc-

tional antenna for night use, to install a new transmitter, and to change transmitter location; (2)-a petition filed December 21, 1945, by WLEU Broadcasting Corporation requesting the Commission to issue an order to show cause why the license of Presque Isle Broadcasting Company authorizing the operation of Station WERC, Erie, Pennsylvania, on 1230 kc, with 250 watts power, unlimited time, should not be modified to specify operation on 1450 kc, with 250 w power, unlimited time, and to consolidate the hearing on said order to show cause with the hearing on the above-entitled application of WLEU Broadcasting Corporation; and (3) an opposition to the petition for the issuance of an order to show cause, filed December 27, 1945, by Presque Isle Broadcasting Company (WERC)

It appearing, that the above-entitled application of WLEU Broadcasting Corporation is contingent upon the removal of Station WERC, Erie, Pennsylvania, from the frequency 1230 kc to the frequency 1450 kc; and that Presque Isle Broadcasting Company (WERC) was a party to the said hearing heretofore held in the above-entitled application of WLEU Broadcasting Corporation (WLEU)

It further appearing, that the simultaneous operation of Station WERC on the frequency 1230 kc, and of Station WLEU, as proposed, at Erie, Pennsylvania, would be inconsistent with the Commission's Standards of Good Engineering Practice; that the operation of Station WLEU, as proposed, might result in the addition of new primary broadcast service to a substantial population and area in and around Erie, Pennsylvania; and that the public interest, convenience, and necessity might be better served by assigning the frequency 1260 kc to WLEU Broadcasting Corporation (WLEU) and the frequency 1450 kc to Presque Isle Broadcasting Company (WERC) both at Erie, Pennsylvania;

It is ordered, That the said petition filed by WLEU Broadcasting Corporation (WLEU) be, and it is hereby, granted; that, pursuant to section 312 (b) of the Communications Act of 1934, as amended, opportunity be, and it is hereby, afforded Presque Isle Broadcasting Company, licensee of Station WERC, Erie, Pennsylvania, to show cause at a hearing before the Commission to be held at its offices in Washington, D. C., on the 17th day of March, 1947, at 10 a. m., why the broadcast license issued to said Presque Isle Broadcasting Company (WERC) should not be modified so as to specify the use by it of the frequency 1450 kc at Erie, Pennsylvania, in lieu of the frequency 1230 kc; and that WLEU Broadcasting Corporation (WLEU) be, and it is hereby, made a party to this proceeding;

It is further ordered, That the above-ordered hearing to show cause, to which § 1.857 of the Commission's rules and regulations shall be applicable, be, and it is hereby, consolidated with the hearing on the above-entitled application of WLEU Broadcasting Corporation

(WLEU) heretofore held at Washington, D. C., on January 3-7, 1946.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-2320; Filed, Mar. 11, 1947;
8:45 a. m.]

[Docket No. 8112]

CHESAPEAKE AND POTOMAC TELEPHONE
COMPANY OF BALTIMORE CITY

ORDER TO SHOW CAUSE

New increased charges for interstate message telephone service in the Washington metropolitan area.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of February 1947;

It appearing, that on February 11, 1947, The Chesapeake and Potomac Telephone Company of Baltimore City filed revised tariff schedules effective March 13, 1947, resulting in increased charges for interstate message telephone service in the Washington Metropolitan Area, between certain points in the State of Maryland and certain points in the State of Virginia; said tariff schedules being designated as follows: "The Chesapeake and Potomac Telephone Company of Baltimore City," Tariff F. C. C. No. 15, 4th Revised Page No. 5; 11th Revised Page No. 7.

It further appearing, that on the 14th day of February 1947, by order served upon The Chesapeake and Potomac Telephone Company of Baltimore City, the Commission, pursuant to section 204 of the Communications Act of 1934, as amended, suspended the operation of the above cited tariff schedules until June 13, 1947, insofar as they effected increased charges for interstate message telephone service in the Washington Metropolitan Area, and upon its own motion ordered a hearing pursuant to sections 204 and 205 of the Communications Act of 1934, as amended, concerning the lawfulness of the above cited tariff schedules, insofar as they provided for increased charges for such telephone service;

It further appearing, that the above order required that during the suspension period, no changes be made in said tariff schedules, or in the regulations, charges or practices sought to be altered thereby, unless authorized by special permission of the Commission;

It further appearing, that pursuant to sections 201 through 205, inclusive, and 403 of the Communications Act of 1934, as amended, the Commission, by said order of February 14, 1947, instituted an investigation into the lawfulness of the rates, charges, regulations, practices, and services of The Chesapeake and Potomac Telephone Company of Baltimore City, The Chesapeake and Potomac Telephone Company of Virginia, and The Chesapeake and Potomac Telephone Company (operating in the District of Columbia), for and in connection with interstate message telephone service in the Washington Metropolitan Area;

It further appearing, that by the order of February 14, 1947, The Chesapeake and Potomac Telephone Company of Baltimore City, The Chesapeake and Potomac Telephone Company of Virginia, and The Chesapeake and Potomac Telephone Company were made parties respondent to the proceeding, and that the matter was assigned for hearing on the 25th day of March, 1947;

It further appearing, that The Chesapeake and Potomac Telephone Company of Baltimore City has been demanding, collecting, and otherwise making charges for interstate telephone communications between points in the State of Maryland and points in the State of Virginia, in the Washington Metropolitan Area, without having on file with this Commission effective tariff schedules showing such charges, and in disregard of effective tariff schedules on file with the Commission, contrary to the provisions of section 203 of the Communications Act of 1934, as amended;

It further appearing, that The Chesapeake and Potomac Telephone Company of Baltimore City represented to the Commission and to the public by the above cited tariff schedules that the new increased charges for interstate telephone communications between certain points in the State of Maryland and certain points in the State of Virginia would be placed in effect on March 13, 1947, although said company knew that increased charges would be made effective before that date; and that the Commission was thereby misinformed concerning the facts as to when the new increased charges were to become effective, so that it was unable to take timely action in enforcement of the Communications Act;

It further appearing, that The Chesapeake and Potomac Telephone Company of Baltimore City placed in effect the new increased charges for interstate telephone communications between certain points in the State of Maryland and certain points in the State of Virginia, in violation of the above suspension order of the Commission of February 14, 1947, and of Section 204 of the Communications Act of 1934, as amended;

It further appearing, that The Chesapeake and Potomac Telephone Company of Baltimore City failed to file a consecutively numbered supplement to its tariff announcing the suspension of the schedules named in the suspension order of February 14, 1947, as required by § 61.191 of the Commission's rules and regulations;

It further appearing, that in view of the above matters, the proceedings in this docket and the hearing now scheduled herein should, without in any way limiting the scope thereof, include certain issues in addition to those already indicated therefor;

It is ordered, That The Chesapeake and Potomac Telephone Company of Baltimore City, and the following officials of the company- Messrs. H. Randolph Maddox, President; Robert C. McCann, Vice President-Operation; Wilbur H. Collier, Assistant Vice President; Franklin H. Kenworthy, Vice

President and Comptroller; August B. Haneke, Vice President and General Manager; and Truman G. Rumberger, General Commercial Manager; shall appear at the hearing scheduled herein to begin at 10:00 a. m. on the 25th day of March 1947, at the offices of the Commission in Washington, D. C., and give evidence, and show cause, with respect to the apparent violations of the Communications Act of 1934, as amended, and of the Commission's order of February 14, 1947, herein, and regarding the other matters set forth above, as follows:

(1) Why the Commission should not request the Attorney General of the United States to apply to the appropriate district court of the United States for issuance of a writ of mandamus commanding The Chesapeake and Potomac Telephone Company of Baltimore City and its officers, agents and employees to comply with the provisions of the Communications Act of 1934, as amended, particularly sections 203 and 204 thereof, as provided in section 401 (a) of said Act;

(2) Why the Commission, or the United States, by its Attorney General, should not apply to an appropriate district court of the United States for enforcement of the order of the Commission of February 14, 1947, herein through issuance of a writ of injunction or other proper process, mandatory or otherwise, to restrain The Chesapeake and Potomac Telephone Company of Baltimore City, its officers, agents and representatives, from further disobedience of such order, or to enjoin upon it, or them, obedience to the same, as provided in section 401 (b) of the Communications Act of 1934, as amended;

(3) Why the Commission should not request the appropriate district attorney of the United States to institute in the proper court and to prosecute, under the direction of the Attorney General of the United States, all necessary proceedings for the enforcement of the provisions of the Communications Act of 1934, as amended, against The Chesapeake and Potomac Telephone Company of Baltimore City and its officers, agents and representatives, and for punishment of all violations thereof, and particularly the imposition of the penalties provided by section 501 and 502 of the act, as provided in section 401 (c) of said act;

(4) Why a civil suit should not be instituted in the name of the United States pursuant to section 504 of the Communications Act of 1934, as amended, to recover the forfeitures provided for in section 203 (e) of said act;

(5) Why the Commission should not request the Attorney General of the United States or the appropriate district attorney of the United States to institute all necessary proceedings against The Chesapeake and Potomac Telephone Company of Baltimore City and its responsible officers, agents and representatives, for punishment of violation of section 35 (A) of the Criminal Code (18 U. S. Code, section 80) in representing by the above cited tariff schedules filed with the Commission that the effective date of the increased rates would be March 13, 1947, when in truth and fact

said company and its officers, agents and representatives knew that rate increases would be made effective prior to that date;

It is further ordered, That this order shall be served upon each of the above named officials of The Chesapeake and Potomac Telephone Company of Baltimore City and upon each of the other parties to this proceeding;

It is further ordered, That at the hearings herein, the issues presented by this order and by the similar order adopted this day in Docket No. 8110, shall take precedence over the matters presented by the orders of February 14, 1947, in this docket and Docket No. 8110.

Notice is hereby given, That § 1.857 of the Commission's rules and regulations is not applicable to these proceedings.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc., 47-2322; Filed, Mar. 11, 1947;
8:45 a. m.]

[Docket No. 8110]

CHESAPEAKE AND POTOMAC TELEPHONE-
COMPANY OF VIRGINIA

ORDER TO SHOW CAUSE

New increased charges for interstate message telephone service in the Washington metropolitan area.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of February 1947;

It appearing, that on January 20 and February 11, 1947, The Chesapeake and Potomac Telephone Company of Virginia filed revised tariff schedules effective February 20 and March 13, 1947, respectively, resulting in increased charges for interstate message telephone service in the Washington Metropolitan Area, between certain points in the State of Virginia and certain points in the State of Maryland; said tariff schedules being designated as follows: "The Chesapeake and Potomac Telephone Company of Virginia," Tariff F. C. C. No. 15, 4th Revised Page No. 5; 5th Revised Page No. 5; 11th Revised Page No. 7; 12th Revised Page No. 7;

It further appearing, that on the 14th day of February 1947, by order served upon The Chesapeake and Potomac Telephone Company of Virginia, the Commission, pursuant to section 204 of the Communications Act of 1934, as amended, suspended the operation of the above cited tariff schedules until May 20, 1947, insofar as they effected increased charges for interstate message telephone service in the Washington Metropolitan Area, and upon its own motion ordered a hearing pursuant to sections 204 and 205 of the Communications Act of 1934, as amended, concerning the lawfulness of the above cited tariff schedules, insofar as they provided for increased charges for such telephone service;

It further appearing, that the above order required that during the suspension period, no changes be made in said

tariff schedules, or in the regulations, charges or practices sought to be altered thereby, unless authorized by special permission of the Commission;

It further appearing, that, pursuant to sections 201 through 205, inclusive, and 403 of the Communications Act of 1934, as amended, the Commission, by said order of February 14, 1947, instituted an investigation into the lawfulness of the rates, charges, regulations, practices, and services of The Chesapeake and Potomac Telephone Company of Virginia, The Chesapeake and Potomac Telephone Company of Baltimore City, and The Chesapeake and Potomac Telephone Company (operating in the District of Columbia) for and in connection with interstate message telephone service in the Washington Metropolitan Area;

It further appearing, that by the order of February 14, 1947, The Chesapeake and Potomac Telephone Company of Virginia, The Chesapeake and Potomac Telephone Company of Baltimore City, and The Chesapeake and Potomac Telephone Company were made parties respondent to the proceeding, and that the matter was assigned for hearing on the 25th day of March, 1947;

It further appearing, that The Chesapeake and Potomac Telephone Company of Virginia has been demanding, collecting, and otherwise making charges for interstate telephone communications between points in the State of Virginia and points in the State of Maryland, in the Washington Metropolitan Area, without having on file with this Commission effective tariff schedules showing such charges, and in disregard of effective tariff schedules on file with the Commission, contrary to the provisions of section 203 of the Communications Act of 1934, as amended;

It further appearing, that The Chesapeake and Potomac Telephone Company of Virginia represented to the Commission and to the public by the above cited tariff schedules that the new increased charges for interstate telephone communications between certain points in the State of Virginia and certain points in the State of Maryland would be placed in effect on February 20, 1947, although said company knew that increased charges would be made effective before that date; and that the Commission was thereby misinformed concerning the facts as to when the new increased charges were to become effective, so that it was unable to take timely action in enforcement of the Communications Act;

It further appearing, that The Chesapeake and Potomac Telephone Company of Virginia placed in effect the new increased charges for interstate telephone communications between certain points in the State of Virginia and certain points in the State of Maryland, in violation of the above suspension order of the Commission of February 14, 1947, and of section 204 of the Communications Act of 1934, as amended;

It further appearing, that The Chesapeake and Potomac Telephone Company of Virginia failed to file a consecutively numbered supplement to its tariff announcing the suspension of the schedules named in the suspension order of Febru-

ary 14, 1947, as required by § 61.191 of the Commission's rules and regulations;

It Further Appearing, that in view of the above matters, the proceedings in this docket and the hearing now scheduled herein should, without in any way limiting the scope thereof, include certain issues in addition to those already indicated therefor;

It is ordered, That The Chesapeake and Potomac Telephone Company of Virginia, and the following officials of the company: Messrs. H. Randolph Maddox, President; Robert C. McCann, Vice President—Operation; Wilbur H. Collier, Assistant Vice President; Franklin H. Kenworthy, Vice President and Comptroller; Arthur L. Lambdin, Vice President and General Manager; and Arthur W. Harrison, General Commercial Manager; shall appear at the hearing scheduled herein to begin at 10:00 a. m. on the 25th day of March 1947, at the offices of the Commission in Washington, D. C., and give evidence, and show cause with respect to the apparent violations of the Communications Act of 1934, as amended, and of the Commission's order of February 14, 1947, herein, and regarding the other matters set forth above, as follows:

(1) Why the Commission should not request the Attorney General of the United States to apply to the appropriate district court of the United States for issuance of a writ of mandamus commanding The Chesapeake and Potomac Telephone Company of Virginia and its officers, agents and employees to comply with the provisions of the Communications Act of 1934, as amended, particularly sections 203, and 204 thereof, as provided in section 401 (a) of said act;

(2) Why the Commission, or the United States, by its Attorney General, should not apply to an appropriate district court of the United States for enforcement of the order of the Commission of February 14, 1947, herein, through issuance of a writ of injunction or other proper process, mandatory or otherwise, to restrain The Chesapeake and Potomac Telephone Company of Virginia, its officers, agents and representatives, from further disobedience of such order, or to enjoin upon it, or them, obedience to the same, as provided in section 401 (b) of the Communications Act of 1934, as amended;

(3) Why the Commission should not request the appropriate district attorney of the United States to institute in the proper court and to prosecute, under the direction of the Attorney General of the United States, all necessary proceedings for the enforcement of the provisions of the Communications Act of 1934, as amended, against The Chesapeake and Potomac Telephone Company of Virginia and its officers, agents and representatives, and for punishment of all violations thereof, and particularly the imposition of the penalties provided by sections 501 and 502 of the act, as provided in section 401 (c) of said act;

(4) Why a civil suit should not be instituted in the name of the United States pursuant to section 504 of the Communications Act of 1934, as amended, to re-

cover the forfeitures provided for in section 203 (e) of said act;

(5) Why the Commission should not request the Attorney General of the United States or the appropriate district attorney of the United States to institute all necessary proceedings against The Chesapeake and Potomac Telephone Company of Virginia and its responsible officers, agents and representatives, for punishment of violation of section 35 (A) of the Criminal Code (18 U. S. Code, section 80), in representing by the above cited tariff schedules filed with the Commission that the effective date of the increased rates would be February 20, 1947, when in truth and fact said company and its officers, agents and representatives knew that rate increases would be made effective prior to that date;

It is further ordered, That this order shall be served upon each of the above-named officials of The Chesapeake and Potomac Telephone Company of Virginia, and upon each of the other parties to this proceeding;

It is further ordered, That at the hearings herein, the issues presented by this order and by the similar order adopted this day in Docket No. 8112, shall take precedence over the matters presented by the orders of February 14, 1947, in this docket and Docket No. 8112;

Notice is hereby given, That § 1.857 of the Commission's rules and regulations is not applicable to these proceedings.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-2321; Filed, Mar. 11, 1947;
8:45 a. m.]

[Docket No. 8110]

CHESAPEAKE AND POTOMAC TELEPHONE CO.
OF VA.

NEW INCREASED CHARGES FOR INTERSTATE
MESSAGE TELEPHONE SERVICE IN THE
WASHINGTON METROPOLITAN AREA

In the order of February 14, 1947 in the above proceeding, the reference in the third ordering paragraph to section 204 of the Communications Act of 1934, as amended, should have been made to sections 201 through 205, inclusive, and to section 403, of the Communications Act of 1934, as amended.

Dated: February 27, 1947.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-2324; Filed, Mar. 11, 1947;
8:45 a. m.]

[Docket No. 8112]

CHESAPEAKE AND POTOMAC TELEPHONE CO.
OF BALTIMORE CITY

NEW INCREASED CHARGES FOR INTERSTATE
MESSAGE TELEPHONE SERVICE IN THE
WASHINGTON METROPOLITAN AREA

In the order of February 14, 1947, in the above proceeding, the reference in

the third ordering paragraph to section 204 of the Communications Act of 1934, as amended, should have been made to section 201 through 205, inclusive, and to section 403, of the Communications Act of 1934, as amended.

Dated: February 27, 1947.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-2323; Filed, Mar. 11, 1947;
8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 336, Special Permit 137]

RECONSIGNMENT OF POTATOES AT KANSAS
CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15003), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Kansas City, Mo., March 3, 1947, by Innes Brothers, of car NP 92015, potatoes, now on the Chicago, Burlington & Quincy Railroad, to Lago Grape Co., Keokuk, Iowa (CB&Q)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of March 1947.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 47-2318; Filed, Mar. 11, 1947;
8:53 a. m.]

[S. O. 691]

UNLOADING OF MACHINERY STEEL AT
PHILADELPHIA, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of March A. D. 1947.

It appearing, that 16 cars containing machinery steel at Philadelphia, Pennsylvania, on the Baltimore and Ohio Railroad Company have been on hand for unreasonable lengths of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

(a), *Machinery steel at Philadelphia, Pa., be unloaded.* The Baltimore and

Ohio Railroad Company, its agents or employees, shall unload immediately the following cars, containing machinery steel, now on hand at Philadelphia, Pa., consigned for export;

Wab 14476	PRR 301748
Sou 55053	DRGW 45442
Wab 14732	NYC 633055
B&O 254886	CEI 91403
PLE 46398	NYC 634429
CNW 70357	B&O 252463
TNO 42447	CEI 92757
PRR 356165	CNJ 85299

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., March 8, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL] *

W P. BARTEL,
Secretary.

[F. R. Doc. 47-2317; Filed, Mar. 11, 1947;
8:58 a. m.]

OFFICE OF TEMPORARY CONTROLS

Office of Price Administration

[Rev. Gen. Order 59]

DEPUTY COMMISSIONER FOR ENFORCEMENT,
OFFICE OF PRICE ADMINISTRATION, REGIONAL ENFORCEMENT EXECUTIVES AND ATTORNEYS IN CHARGE OF REGIONAL BRANCH OFFICES

DELEGATION OF AUTHORITY TO EXECUTE RELEASES OF ADMINISTRATOR'S CLAIM

Pursuant to the authority conferred upon the Temporary Controls Adminis-

trator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9809, General Order No. 59 is revised as follows:

(a) The Deputy Commissioner for Enforcement, Office of Price Administration, Office of Temporary Controls, is authorized to execute releases of the Administrator's claim under section 205 (e) of the Emergency Price Control Act, as amended.

(b) Each Regional Enforcement Executive, Office of Price Administration, Office of Temporary Controls, is authorized to execute releases of the Administrator's claim under section 205 (e) of the Emergency Price Control Act, as amended.

(c) Each Attorney in Charge of a Regional Branch Office, Office of Price Administration, Office of Temporary Controls, is authorized, upon the recommendation of the Regional Section Chief or the Branch Office Unit Head in charge of the case involved in the settlement to execute releases of the Administrator's claim under section 205 (e) of the Emergency Price Control Act, as amended.

(d) Any releases executed by the Deputy Commissioner for Enforcement, any Regional Enforcement Executive or by the Attorney in Charge of a Regional Branch Office, pursuant to this delegation of authority, shall have the same force and effect as if executed by the Temporary Controls Administrator.

(e) Nothing in this order shall be construed to limit or affect any similar authority heretofore delegated to any Area Rent Attorney or Area Rent Director.

Issued and effective this 28th day of February 1947.

PHILIP B. FLEMING,
Temporary Controls Administrator

[F. R. Doc. 47-2335; Filed, Mar. 11, 1947;
8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-75, 54-152, 59-8, 59-20]

COMMONWEALTH AND SOUTHERN CORP.
(DELAWARE) ET AL.

NOTICE OF FILING OF AMENDMENT TO PLAN AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 6th day of March 1947.

In the matter of The Commonwealth & Southern Corporation (Delaware) respondent, File No. 59-20; The Commonwealth & Southern Corporation (Delaware) and its subsidiary companies, respondents, File No. 59-8; The Commonwealth & Southern Corporation (Delaware) File No. 54-75; The Commonwealth & Southern Corporation (Delaware) and The Southern Company, File No. 54-152.

The Commonwealth & Southern Corporation ("Commonwealth") a registered holding company, and The Southern Company ("Southern") a new subsidiary organized by Commonwealth, having on October 21, 1946 filed an application for approval of a plan pursuant

to section 11 (e) of the Public Utility Holding Company Act of 1935 providing for the transfer to Southern of all of Commonwealth's interest in Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company, South Carolina Power Company and Savannah River Electric Company, and for the approval of related transactions; and the Commission having on November 25, 1946 issued its notice of filing and order for hearing (Holding Company Act Release No. 7018) summarizing the provisions of said plan and application and ordering a hearing thereon; and a hearing having been held upon said plan and application and having been adjourned subject to the call of the Trial Examiner.

Notice is hereby given that on February 19, 1947 Southern and Commonwealth jointly filed an amendment to said plan and application. The principal changes made by the amendment in the plan heretofore filed are that (a) the provision that Southern issue debentures or serial notes is eliminated and (b) South Carolina Power Company common stock is not to be transferred to Southern. The amendment also provides for certain changes in accounting treatment, and in addition proposes an agreement by Commonwealth, under certain conditions, to dispose of interests in subsidiary companies, as more specifically summarized hereinafter.

All interested persons are referred to said plan and application, as amended, which are on file in the offices of this Commission, for a full statement of the transactions therein proposed, which are summarized as follows:

1. Commonwealth proposes to transfer to Southern \$3,000,000 in cash and all of Commonwealth's interests in the following southern subsidiary companies: Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company and Savannah River Electric Company. Such interests include (a) all of the outstanding common stocks of such companies and (b) demand notes of Savannah River Electric Company payable in the amount of \$1,450,034.30 as at September 30, 1946.

2. In exchange therefor, Southern, which has an authorized capitalization of 15,000,000 shares of common stock with a par value of \$5 per share, proposes to issue and deliver to Commonwealth 10,000,000 of such shares including the 200 shares issued in connection with the organization of Southern.

3. Southern proposes to register as a holding company under the Act prior to or concurrently with its acquisition of Commonwealth's interests in the above-stated Southern subsidiary companies.

4. Southern further proposes, after the acquisition of the aforesaid interests, to issue and sell to the public for the best price obtainable, such number of additional shares of its common stock as will produce net cash proceeds to Southern, after the payment of underwriting discounts or commissions, in the amount of \$10,000,000. Southern proposes to invest the proceeds from such sale in the common stocks of such of its subsidiary companies as may be determined in supple-

mental proceedings before the Commission.

5. Southern proposes to record the investment to be acquired by it in Savannah River Electric Company at approximate book value and to record the investments to be acquired in other Southern operating subsidiaries of Commonwealth at amounts, representing the fair values inherent in such investments, as were heretofore determined by the Board of Directors of Southern. The aggregate amount proposed to be recorded in the investment account of Southern is \$146,500,000.

Southern further proposes that there shall be appropriated from consolidated net income (before transfer to consolidated earned surplus) to a consolidated general reserve for investments \$2,000,000 per year cumulative from the effective date of acquisition by Southern of its proposed subsidiaries. Of such appropriation at least \$500,000 per year cumulative from such date shall be made in the corporate accounts of Southern. Southern reserves the right to apply to the Commission at any time, or from time to time, to discontinue any appropriation, corporate or consolidated, in whole or in part.

6. Commonwealth requests that the Commission find the proposed plan, as submitted or as modified, necessary to effectuate the provisions of section 11 (b) and fair and equitable to the persons affected thereby, and also requests that the Commission's order approving the plan contain the recitals required by sections 371 (f) and 1808 (f) of the Internal Revenue Code.

7. Subject to the condition that the transactions proposed are carried out pursuant to an appropriate finding of the Commission to the effect that the electric properties of Alabama Power Company, Georgia Power Company, Mississippi Power Company and Gulf Power Company are retainable under common control as an integrated public utility system under the standards of the act and that the continued existence of Southern as a holding company over such retainable properties is appropriate under such standards and to an order thereon approving the plan,

(a) Commonwealth agrees to dispose or cause the disposition of its direct or indirect interest in all of its subsidiaries other than Alabama Power Company, Georgia Power Company, Mississippi Power Company, Gulf Power Company and Savannah River Electric Company, and agrees that the Commission may enter an appropriate order to such effect under section 11 (b) (1).

(b) Commonwealth (as long as Southern is its subsidiary) and Southern agree to dispose or cause the disposition of their direct or indirect interest in the gas and transportation properties of Alabama Power Company, Georgia Power Company and Gulf Power Company, and agree that the Commission enter an appropriate order to such effect under section 11 (b) (1) and

(c) Commonwealth agrees to dispose of any remaining direct or indirect interest in Southern as soon as possible after the retirement by Commonwealth of its outstanding preferred stock.

Commonwealth and Southern propose to file such applications and declarations as may be necessary or appropriate to the carrying out of said order and the foregoing agreement or any orders of the Commission entered pursuant thereto.

The Commission being required by the provisions of section 11 (e) of the act before approving any plan thereunder to find, after notice and opportunity for hearing, that the plan as submitted or as modified is necessary to effectuate the provisions of subsection (b) of section 11 and is fair and equitable to the persons affected thereby; and it appearing appropriate to the Commission that notice be given and a hearing be held on the plan, as amended, filed by Southern and by Commonwealth to afford all interested persons an opportunity to be heard with respect thereto:

It is ordered, That the hearing in these consolidated proceedings, pursuant to the applicable provisions of the act and the rules and regulations thereunder, be reconvened, before the Trial Examiner heretofore designated, on March 24, 1947, at 11:00 a. m., e. s. t., at the office of this Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing shall be held.

It is further ordered, That any person who has not heretofore entered his appearance and who desires to be heard in connection with this proceeding or proposes to intervene herein shall file with the Secretary of the Commission on or before March 20, 1947 his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That notice of said hearing be given by registered mail to Commonwealth, Southern, the Federal Power Commission, the Public Service Commissions of Alabama, Georgia and South Carolina and to the participants at the hearing held on January 15, 1947 in the instant proceedings, and to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935 and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-2291; Filed, Mar. 11, 1947;
8:48 a. m.]

[File No. 1-3063]

A. D. F. Co.

NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of March A. D. 1947.

The New York Curb Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made

application to strike from listing and registration the Capital Stock, \$5.00 Par Value, of A. D. F. Co., which until August 27, 1945 was known as Atlas Drop Forge Company. The application alleges that (1) the issuer on September 4, 1945 sold substantially all of its assets to a wholly-owned subsidiary of Spicer Manufacturing Corporation in consideration of the sum of \$1,436,835.47; (2) the issuer ceased manufacturing operations on August 31, 1945; (3) the issuer is in the process of complete and final liquidation; (4) the issuer has distributed to its shareholders two liquidating dividends totalling \$13.00 per share; (5) the only remaining assets are approximately \$400,000, composed principally of United States Government securities and cash, which would amount to \$2.68 per share, subject to certain contingent liabilities in amounts not presently ascertainable; (6) the New York Curb Exchange suspended dealings in this security on January 15, 1947; and (7) the rules of the New York Curb Exchange with respect to the striking of a security from listing and registration have been complied with.

Upon receipt of a request, prior to March 26, 1947, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms or conditions. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Philadelphia, Pennsylvania. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-2292; Filed, Mar. 11, 1947;
8:48 a. m.]

[File No. 70-1466]

MICHIGAN CONSOLIDATED GAS CO. AND
AMERICAN LIGHT & TRACTION CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of March 1947.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by Michigan Consolidated Gas Company ("Michigan Consolidated") a gas utility company, and its parent, American Light & Traction Company ("American Light") a registered

holding company. The applicants-declarants have designated sections 6 (b) 9, 10 and 12 (f) of the act and Rules U-43 and U-50 promulgated thereunder as applicable to the proposed transactions.

All interested parties are referred to the application-declaration which is on file in the office of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

Michigan Consolidated proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$6,000,000 principal amount of its First Mortgage Bonds, -----% Series due 1969, and it is proposed that the interest rate on the bonds (which shall be a multiple of $\frac{1}{8}$ of 1%) and the price to be received by Michigan Consolidated (which price, exclusive of accrued interest, shall not be less than 100% or more than 102 $\frac{3}{4}$ % of the principal amount of the new bonds) are to be determined by the competitive bidding. Michigan Consolidated also proposes to issue and sell to its parent company, American Light, and American Light proposes to purchase from Michigan Consolidated, an additional 276,805 shares of \$14 par common stock for a cash consideration of \$3,875,270. In connection with the issuance and sale of the additional common stock, Michigan Consolidated proposes to amend its Articles of Incorporation to increase the authorized number of shares of common stock from 3,000,000 of which there are outstanding 2,768,050, to 3,500,000 of which there will be outstanding 3,044,855.

The application-declaration states that the net proceeds from the sale of the new bonds and stock will be expended in connection with the construction and acquisition of additional property consisting principally of distribution mains and lines and gas-manufacturing equipment, and to reimburse Michigan Consolidated in part for expenditures heretofore made by it from other funds for such purposes. Of the proceeds from the sale of the bonds, \$2,500,000 will be deposited with the trustees under the Indentures to be held as a part of the trust estate subject to withdrawal in accordance with provisions of the Indentures. The expense of the issuance and sale of the bonds and common stock are estimated to be \$94,000 and \$41,000, respectively.

Applicants-declarants state that the issuance of the bonds and common stock is subject to the jurisdiction of The Michigan Public Service Commission and that the necessary authorization from such Commission will be procured before the hearing upon the application-declaration.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors or consumers that a hearing be held with respect to the matter set forth in said application-declaration, and that the application-declaration shall not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on the application-declaration, pursuant to the

applicable provisions of the act and the rules and regulations thereunder, be held on March 19, 1947 at 10:00 a. m., e. s. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

Any persons desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of this Commission, on or before March 17, 1947, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Willis E. Monty, or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the application-declaration and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters or questions upon further examination:

1. Whether the proposed issue and sale of the new bonds and of the common stock are exempt from the provisions of sections 6 (a) and 7 of the act pursuant to section 6 (b) thereof, and, if not, whether said issue and sale meet the requirements of section 7 of the act.

2. Whether the terms and conditions of the issue and sale of bonds and common stock are detrimental to the public interest or to the interests of investors or consumers.

3. Whether the indentures securing the proposed bonds contain adequate protective provisions for the benefit of security holders.

4. Whether the fees, commissions and other remuneration to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

5. Whether the proposed acquisition by American Light of the common stock of Michigan Consolidated meets the applicable requirements of section 10.

6. Whether the proposed transactions meet the requirements of section 12 (f)

7. Whether the accounting entries to be recorded in connection with the proposed transactions are proper, conform with sound accounting principles and meet the requirements of the act.

8. What terms or conditions, if any, with respect to the proposed transactions should be prescribed in the public interest or for the protection of investors or consumers.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on the applicants-declarants herein, the Michigan Public Service Commission and the Federal Power Commission; and that notice of said hearing shall be given to all other persons by publication of this no-

tice and order in the FEDERAL REGISTER, and by general release of this Commission which shall be distributed to the press.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-2294; Filed, Mar. 11, 1947;
8:48 a. m.]

[File No. 70-1433]

DALLAS POWER & LIGHT CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of March A. D. 1947.

Dallas Power & Light Company ("Dallas") an electric utility subsidiary of American Power & Light Company ("American"), a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, having filed a declaration and amendment thereto pursuant to sections 6 (a) (2) and 7 of the Public Utility Holding Company Act of 1935 with respect to the following transactions:

Dallas proposes to amend its charter in the following respects: (1) To provide for a dividend restriction on common stock whereby not more than 75% of the earnings available to the common stock may be paid out as dividends thereon when the ratio of common stock equity to total capitalization is between 20% and 25% of total capitalization, and not more than 50% of such earnings may be paid out as dividends when the ratio of common stock equity to total capitalization falls below 20%, (2) to grant holders of common stock preemptive rights with respect to any offering of common stock or any security convertible into common stock for money, other than by a public offering of such shares; (3) to provide that the consideration received by the company from the issuance and sale of additional common stock without nominal or par value be entered in the capital stock account; (4) to increase the authorized common stock from 273,000 shares without nominal or par value to 2,500,000 shares without nominal or par value; and (5) to expressly confer on the company or its Board of Directors certain additional powers with respect to the borrowing of money, mortgaging the company's property and purchase and sale of its own securities.

The declaration having been filed on January 9, 1947, the amendment thereto having been filed on February 4, 1947, notice of said filing as amended having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing on said declaration within the period specified in such notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the declaration as amended that the applicable provisions of the act and the rules thereunder are satisfied, that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration as amended be permitted to become effective, and deeming it appropriate to grant the request of declarant that the order become effective at the earliest practicable date:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-2293; Filed, Mar. 11, 1947;
8:48 a. m.]

[File No. 70-1431]

WISCONSIN HYDRO ELECTRIC CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 5th day of March A. D. 1947.

Notice is hereby given that an additional amendment to an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Wisconsin Hydro Electric Company ("Wisconsin Hydro") a public-utility company and a subsidiary of Eastern Minnesota Power Corporation, a registered holding company.

Notice is further given that any interested person may, not later than March 20, 1947, at 5:30 p. m., e. s. t. request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application or declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after March 20, 1947, such application or declaration, as filed or as amended, or any of the transactions proposed therein, may be granted or may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20, (a) and Rule U-100 thereof.

All interested persons are referred to said amendment which is on file in the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Wisconsin Hydro proposes to issue and sell \$1,750,000 3½% First Mortgage

Bonds, due twenty-five years from date, and \$250,000 3% Serial Notes, due \$50,000 annually for five years after the issuance thereof. The proceeds of the said bonds and notes will be used in payment of the 5% First Mortgage Bonds of Wisconsin Hydro presently outstanding in the principal amount of \$2,077,000 which mature October 1, 1947.

Wisconsin Hydro, for reasons stated in its amendment, has requested an exemption from the competitive bidding requirements of Rule U-50 promulgated under the Public Utility Holding Company Act of 1935. It proposes to sell the bonds to Massachusetts Mutual Life Insurance Company, Equitable Life Insurance Company of Iowa, and Modern Woodmen of America, and has arranged with Harris Trust and Savings Bank, Chicago, Illinois, for the purchase of the serial notes. Wisconsin Hydro states that the transactions proposed are subject to the jurisdiction of the Wisconsin Public Service Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-2295; Filed, Mar. 11, 1947;
8:49 a. m.]

[File Nos. 70-1422 and 70-1423]

STANDARD GAS AND ELECTRIC CO. AND
OKLAHOMA GAS AND ELECTRIC CO.

SUPPLEMENTAL ORDER CONCERNING COMPETITIVE BIDDING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of March 1947.

Standard Gas and Electric Company (Standard), a registered holding company, and its public utility subsidiary, Oklahoma Gas and Electric Company (Oklahoma Gas), having filed separate applications and declarations, and amendments thereto, pursuant to sections 6, 7, 11 (b) and 12 (d) of the Public Utility Holding Company Act of 1935 (Act) and Rules U-24, U-44 and U-50 promulgated thereunder, in which it was proposed, among other things, that Standard sell its holdings of 750,000 shares of the Common Stock of Oklahoma Gas and that, simultaneously with such sale, Oklahoma Gas issue and sell an additional issue of 140,000 shares of its Common Stock, both sales to be made pursuant to the competitive bidding requirements of Rule U-50; and

The Commission having by order dated January 22, 1947, granted said applications and permitted said declarations to become effective, subject to the condition, among others, that the proposed sale by Standard and the proposed issue and sale of shares of Common Stock by Oklahoma Gas not be consummated until the results of competitive bidding pursuant to Rule U-50 have been made a matter of record in these proceedings and a further order has been entered by this Commission in the light of the record so completed, jurisdiction being reserved for this purpose; and

The Commission having, by Supplemental order dated February 24, 1947, granted and permitted to become effective an amendment filed by Oklahoma Gas to its application-declaration herein deleting the provision under which the additional issue of 140,000 shares of Common Stock by Oklahoma Gas would be sold simultaneously with the proposed sale by Standard of its holdings of 750,000 shares of the Common Stock of Oklahoma Gas; and

Oklahoma Gas having filed a further amendment dated March 4, 1947 to its application-declaration in which it is stated that in accordance with the permission granted by said Orders of the Commission dated January 22, 1947 and February 24, 1947, it has offered its Common Stock for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

Syndicate headed by—	Price to Oklahoma Gas (per share)
The First Boston Corporation—	\$37.34
Kuhn, Loeb & Co., Harriman, Ripley & Co., Inc., and Smith, Barney & Co.—	37.07
Merrill Lynch, Pierce, Fenner & Beane—	35.78
Lehman Brothers and Blyth & Co., Inc.—	34.23

The amendment further stating that Oklahoma Gas has accepted the bid of the syndicate headed by The First Boston Corporation, and that the stock will be offered for sale to the public at a price of \$39.50 per share, resulting in an underwriters' spread of \$2.16 per share; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to such matters;

It is ordered, That jurisdiction heretofore reserved with respect to the results of the competitive bidding for the 140,000 shares of its Common Stock to be sold by Oklahoma Gas be, and it hereby is, released, and that the amendment filed on March 5, 1947, by Oklahoma Gas to its application-declaration herein with respect to the issue and sale of said 140,000 shares of Common Stock, be, and it hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction heretofore reserved with respect to the competitive bidding requirements of Rule U-50 for the proposed sale by Standard of its holding of 750,000 shares of Common Stock of Oklahoma Gas be, and the same hereby is, continued.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-2236; Filed, Mar. 11, 1947;
8:49 a. m.]

[File Nos. 54-25, 53-11, 53-17]

UNITED LIGHT AND POWER CO. ET AL.

NOTICE OF FILING OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its

office in the City of Philadelphia, Pa., on the 4th day of March 1947.

In the matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, respondents, File No. 5917; The United Light and Power Company and its subsidiary companies, respondents, File No. 5911, The United Light and Power Company, applicant, File No. 54-25.

Notice is hereby given that The United Light and Railways Company ("Railways") a registered holding company and its subsidiary, American Light & Traction Company ("American Light") also a registered holding company, have filed a joint application pursuant to the Public Utility Holding Company Act of 1935 regarding the acquisition by American Light of additional shares of common stock of The Detroit Edison Company ("Detroit Edison") a public-utility subsidiary of American Light. The applicants have designated sections 9 and 10 of the act as being applicable to the proposed transaction.

All interested persons are referred to said application which is on file in the office of the Commission for a statement of the transaction therein proposed, which is summarized as follows:

Detroit Edison has heretofore filed a declaration under the Act (File No. 70-1468) concerning the issuance of 636,130 shares of its common stock as a ten percent dividend on its presently outstanding common stock. The Commission has ordered a hearing thereon to be held on March 12, 1947 (Holding Company Act Release No. 7235). If the stock dividend is paid, American Light, as the holder of 1,289,205 shares of Detroit Edison common stock, would be entitled to receive 128,920 additional shares of such stock plus a scrip certificate for one-half a share. Railways and American Light consent and agree that the additional shares of stock of Detroit Edison, if acquired by American Light, would be held subject to the provisions of section 11 of the act and of the Commission's order of August 5, 1941 requiring Railways and American Light to dispose of their direct and indirect interest in Detroit Edison, to the same extent as though such shares has been owned by American Light at the date of the entry of such order and had been expressly referred to therein.

Notice is further given that any interested person may, not later than March 14, 1947 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held with respect to the acquisition of the Detroit Edison common stock by American Light, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by the application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after March 14, 1947 the application may be granted as provided in Rule U-23 of the rules and regulations

promulgated pursuant to the act or the Commission may exempt such transaction as provided in Rule U-20 (a) or Rule U-100 thereof.

The applicants request that, if the Commission shall enter an order permitting the declaration of Detroit Edison with respect to the issuance of its common stock dividend to become effective, the order with respect to the instant application be entered concurrently therewith.

It is hereby ordered, That the Secretary of the Commission shall serve by registered mail a copy of this notice on The United Light and Railways Company, American Light & Traction Company, The Detroit Edison Company, the Michigan Public Service Commission, and the City of Detroit.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-2297; Filed, Mar. 11, 1947;
8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9783, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 8285]

GERTRUDE BLUEMNER TENLLADO ET AL.

In re: Gertrude Bluemner Tenllado vs. Ella Sterzel, et al. File No. D-28-9377; E.-T. sec. 12438.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gerda Dreschler, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the sum of \$1,342.77 was paid to the Alien Property Custodian by Curt C. Lindauer, Master in Chancery in the matter of Gertrude Bluemner Tenllado vs. Ella Sterzel, et al.,

3. That the said sum of \$1,342.77 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Alien Property Custodian by acceptance thereof on May 2, 1946, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 24, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director

[F. R. Doc. 47-2338; Filed, Mar. 11, 1947;
8:45 a. m.]

[Vesting Order CE 371]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on March 4, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		<i>Item 1</i>	
Giuseppe Musso.....	Italy.....	Estate of Victor Musso, also known as V. Musso, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 106157.	\$5.00
Quintino Musso.....	do.....	Same.....	5.00
Clara Musso.....	do.....	Same.....	5.00
Rosa Musso.....	do.....	Same.....	5.00
Luigi Musso.....	do.....	Same.....	5.00
Angelo Musso.....	do.....	Same.....	5.00
Jean Cazet.....	do.....	Same.....	10.00
Anna Barragat.....	do.....	Same.....	10.00
		<i>Item 9</i>	
Olinto Polloni.....	do.....	Estate of Italo Polloni, also known as Italo Polloni, deceased, in the Superior Court of the State of California, in and for the County of San Mateo; No. 8003.	7.00
Narciso Polloni.....	do.....	Same.....	7.00
Ermando Polloni.....	do.....	Same.....	7.00
Marisa Brocchini.....	do.....	Same.....	7.00
Olga Baccolli.....	do.....	Same.....	7.00
		<i>Item 14</i>	
Battista Burlando.....	do.....	Estate of Mary Bertoldo, deceased, in the Superior Court of the State of California, in and for the County of Alameda; No. 83133.	35.00
		<i>Item 15</i>	
Giovanni Bragazzi.....	do.....	Estate of Frank Bragazzi, also known as Frank Grigazzi, also known as Francesco Bragazzi, deceased, in the Superior Court of the State of California, in and for the County of Santa Cruz; No. 9630.	20.00
Emilia Bragazzi.....	do.....	Same.....	20.00
Michele Menini.....	do.....	Same.....	6.00
Lina Menini.....	do.....	Same.....	6.00
Giovanni Briselli.....	do.....	Same.....	6.00
		<i>Item 20</i>	
Secondo Alessio.....	do.....	Estate of Giuseppe Alessio, also known as Giuseppe Alessio, deceased, in the Superior Court of the State of California, in and for the County of Santa Clara; No. 27533.	13.00
Attilio Alessio.....	do.....	Same.....	5.00
Ricovero di Mendicita.....	do.....	Same.....	5.00
Do.....	do.....	Same.....	5.00
Pasqualina Bione.....	do.....	Same.....	5.00
		<i>Item 25</i>	
Luigi DeMatter.....	do.....	Estate of Pietro DeMatter, deceased, in the Superior Court of the State of California, in and for the County of Alameda; No. 77341.	13.00
Eugenia DeMatter.....	do.....	Same.....	13.00
Virginia DeMatter.....	do.....	Same.....	13.00
		<i>Item 23</i>	
Maria Pussetto.....	do.....	Estate of Grato Pussetto, deceased, in the Superior Court of the State of California, in and for the County of San Bernardino; No. 17036.	23.00
Agnese Pussetto.....	do.....	Same.....	23.00
Fedello Pussetto.....	do.....	Same.....	9.00
Pietro Pussetto.....	do.....	Same.....	9.00

NOTICES

EXHIBIT A--Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		<i>Item 32</i>	
Maria de Maria.....	Italy.....	Estate of Giacomo Aimar, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 91863.	\$15.00
		<i>Item 33</i>	
Chiaffredo Aimar.....	do.....	Same.....	15.00
		<i>Item 34</i>	
Steffano Aimar.....	France.....	Same.....	15.00
		<i>Item 35</i>	
Antonio Aimar.....	do.....	Same.....	15.00
		<i>Item 36</i>	
Giovanna Lingua.....	Italy.....	Estate of Giuseppe Delfino, deceased, in the Superior Court of the State of California, in and for the County of Contra Costa; No. 12245.	8.00
		<i>Item 37</i>	
Bartolomeo Delfino.....	do.....	Same.....	8.00
		<i>Item 38</i>	
Teresa Mandrilo.....	do.....	Same.....	8.00
		<i>Item 39</i>	
Francesca Mandrilo.....	do.....	Same.....	8.00
		<i>Item 40</i>	
Maria DaCosta.....	do.....	Estate of Anthony DaCosta, deceased, in the Superior Court of the State of California, in and for the County of Calaveras; No. 2151.	25.00
		<i>Item 41</i>	
Giusepena DaCosta.....	do.....	Same.....	25.00
		<i>Item 42</i>	
Children, names unknown, of Margherita Lagorio.....	do.....	Estate of August Lucchetti, deceased, in the Superior Court of the State of California, in and for the County of Sonoma; No. 16556.	29.00
		<i>Item 43</i>	
Children, names unknown, of Antonia Lagorio.....	do.....	Same.....	29.00
		<i>Item 44</i>	
Nicola Bonfiglio.....	do.....	Estate of Erna Bellotti, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 92501.	18.00
		<i>Item 45</i>	
Elcilla Bonfiglio.....	do.....	Same.....	18.00
		<i>Item 46</i>	
Joe Giuntoli.....	do.....	Estate of Giulio Giuntoli, deceased, in the Superior Court of the State of California, in and for the County of Napa; No. 6612.	22.00
		<i>Item 47</i>	
Guilla Dorraclni.....	do.....	Same.....	22.00
		<i>Item 48</i>	
Son and daughter, names unknown, of Alemando Bullentini, deceased.....	do.....	Estate of Alemando Bullentini, deceased, in the Superior Court of the State of California, in and for the County of San Mateo; No. 11624.	31.00
		<i>Item 49</i>	
Angelina Rabbiosi Zugnoni or Arnaldo Zugnoni.....	do.....	Estate of Angelo Zugnoni, deceased, in the Superior Court of the State of California, in and for the County of Nevada; No. 4415.	52.00
		<i>Item 50</i>	
Eugene Tusso.....	do.....	Estate of Manuel Tusso, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles; No. 240796.	32.00.
		<i>Item 51</i>	
Brothers, names unknown, of Giuseppe Cochis, deceased.....	do.....	Estate of Giuseppe Cochis, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 93632.	32.00
		<i>Item 52</i>	
Giovanni Ferraro.....	do.....	Estate of Rocco Ferrero, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 91249.	38.00
		<i>Item 53</i>	
Gianluigi Maltoni.....	do.....	Estate of Cesare Orsi, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles; No. 248639.	49.00
		<i>Item 54</i>	
Brother, name unknown, of Giovanni Bosero, deceased.....	do.....	Estate of Giovanni Bosero, deceased, in the Superior Court, of the State of California, in and for the City and County of San Francisco; No. 80083.	44.00
		<i>Item 55</i>	
Antoinetta Bergero.....	do.....	Estate of Giobatta Bergero, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 93348.	39.00

WALTER M. WEIS

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property located in Washington, D. C., and described below, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant	Claim No.	Property
Walter M. Weis, 35 W. 44th St., New York, N. Y.	971	Property described in paragraph 1 of Vesting Order No. 201 (8 F. R. 625, Jan. 16, 1943), relating to United States Patent No. 2,110,518, to the extent owned by the claimant immediately prior to the vesting thereof.

Executed at Washington, D. C., on March 6, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-2341; Filed, Mar. 11, 1947; 8:45 a. m.]

MAYWOOD CHEMICAL WORKS

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property located in Washington, D. C., and described below, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant	Claim No.	Property
Maywood Chemical Works, Maywood, N. J.	A-303	Property described in paragraph 1 of Vesting Order No. 201 (8 F. R. 625, Jan. 16, 1943), relating to United States Patent Nos. 1,869,493; 1,869,494; 1,869,495; 1,869,496; 1,869,497; 1,869,498; 1,869,499; 1,869,979; 1,869,980; to the extent owned by the claimant immediately prior to the vesting thereof.

Executed at Washington, D. C., on March 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-2342; Filed, Mar. 11, 1947; 8:45 a. m.]

[Vesting Order 7686, Amdt.]

JOSEPH SCHMID

In re: Bond owned by and debt owing to Joseph Schmid. F-28-23512-A-1.

Vesting Order 7686, dated September 19, 1946, is hereby amended as follows and not otherwise:

By deleting "registered in the name of Joseph Schmid, Angburger Strasse 8, Neurnberg, Germany," in subparagraph 2-a of said Vesting Order 7686;

By deleting subparagraph 2-b of said Vesting Order 7686, and substituting therefor the following:

(b) That certain debt or other obligation owing to Joseph Schmid, by Union Dime Savings Bank, Sixth Avenue and 40th Street, New York, New York, arising out of a savings account, account number 1,046,842, entitled Joseph Schmid-Clara Schmid, payable to either or survivor, and any and all rights to demand, enforce and collect the same.

All other provisions of said Vesting Order 7686 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on March 4, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-2340; Filed, Mar. 11, 1947; 8:45 a. m.]

[Vesting Order 8283]

WALTER SCHOENFELD

In re: Estate of Walter Schoenfeld a/k/a George Walter Schoenfeld, deceased. File D-28-10018; E. T. sec. 14221.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gertrude Schoenfeld Grachen, Elizabeth Schoenfeld and Johanna Schoenfeld Werner, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the sum of \$4,635.13 was paid to the Alien Property Custodian by Ella Olson, Executrix of the Estate of Walter Schoenfeld a/k/a George Walter Schoenfeld, deceased;

3. That the said sum of \$4,635.13 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined;

4. That to the extent that the persons named in subparagraph 1 hereof are not

within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Alien Property Custodian by acceptance there on July 31, 1946, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 24, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-2337; Filed, Mar. 11, 1947; 8:45 a. m.]

[Vesting Order 8374]

CARL LUDOWICI

In re: Stock owned by Carl Ludowici. F-28-12869-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Ludowici, whose last known address is Jockgrim (Rheinfaiz) Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: Eighteen hundred and twelve (1812) shares of \$50.00 par value common capital stock of Ludowici-Celadon Company, 104 S. Michigan Avenue, Chicago 3, Illinois, a corporation organized under the laws of the State of Illinois, evidenced by certificates numbered 727 for 675 shares, 749 for 1,125 shares and 753 for 12 shares, and registered in the name of Carl Ludowici, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

NOTICES

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 4, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director

[F. R. Doc. 47-2339; Filed, Mar. 11, 1947;
8:45 a. m.]